

WPA 14461 of 2018

**Rafique Sk.
Vs.
The State of West Bengal & Ors.**

(Through Video Conference)

This petition was filed in the year 2018. Thereafter, more than three years have passed and no one is present today to prosecute the petition.

Having examined the record, it is noticed that the petitioner has raised the plea in respect of defalcation in the mid-day meal scheme at Kaliachak Girls' High School, Malda.

The petition further reveals that on the complaint in this regard police has already registered the case no. 295/15 dated 09.06.2015 under sections 409/467/468/470/471/34 of the IPC.

The grievance of the petitioner was that police was not properly investigating the matter.

After filing of the petition, more than three years have passed and even otherwise in view of the judgement of the Supreme Court in 2008(2) SCC 409 and 2016(6) SCC 277 for such a plea writ petition cannot be maintainable as the appropriate remedy is available under the provisions of the Cr.P.C.

Hence, at this stage no case for issuing any direction in this petition is made out which is accordingly dismissed.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)