

06.09.2022
Court No.13
Item No.54
AP

WPA 15968 of 2022

Sri Tapas Kumar Das

Vs.

The State of West Bengal & Ors.

Mr. Sanjib Kumar Mukhapadhyay

Ms. Nargish Parveen

... For the Petitioner.

Mr. Nilotpal Chatterjee

Mr. Prantik Garai

... For the State.

The petitioner is aggrieved by the process of registration of FIR by the Pipili Police Station at Odisha and illegal arrest that occurred in November 2016. The petitioner was taken into custody on 19th November 2016 and was subsequently released on bail.

In the meantime, in respect of proceedings in respect of the aforesaid FIR the petitioner has been convicted.

This Court is of the view that the petitioner has effective alternative remedy under the CrPC.

Keeping in mind the delay in filing the instant proceedings, this Court is not inclined to entertain the present writ petition.

This Court has also noticed that the principal answering respondents are the police official of the State of Odisha. This Court does not have territorial jurisdiction of the State of Odisha, even if the State of

West Bengal is added as party respondent. The cause of action is primarily against the persons that caused arrest namely the Odisha Government Officials.

Hence, no relief can be granted to the petitioner.

With the aforesaid directions, the writ petition is disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)