

AD-18
Ct No.09
25.08.2022
TN

WPA No. 16731 of 2022

Sreemoyee Mukherjee
Vs.
The State of West Bengal and others

Mr. Debnath Ganguly,
Ms. Aishwarya P. Ganguly,
Mr. Supriyo Dutta

.... for the petitioner

Despite service, none appears for the respondents when the matter is called on for hearing.

The affidavit-of-service and receipt of the specific notice of mentioning before this court, filed today, be kept on record.

The petitioner alleges that although the petitioner executed a registered power of attorney in favour of respondent nos.9 and 10 in respect of certain properties, properties which are beyond the purview of the power of attorney were transferred to the respondent nos.11 and 12, apparently in the name of the petitioner, by the said constituted attorneys.

Learned counsel submits that the Income Tax authorities have taken steps against the petitioner on the allegation that the petitioner has not paid income

tax on the income from such purported sale, which was never received by the petitioner.

When the petitioner approached the Officer-in-Charge, English Bazaar Police Station with written complaint against the said power of attorney holders, it is alleged that no steps were taken by the police authorities to register a First Information Report (FIR) on the basis of the same.

It is submitted that the nature of the allegations made in the complaint, annexed at page 91 (Annexure P5) of the writ petition, gave rise to cognizable offences and, as such, an FIR had to be mandatorily registered by the police authorities.

Upon hearing the submissions of the petitioner, WPA No. 16731 of 2022 is disposed of by directing the Officer-in-Charge, English Bazaar Police Station, District: Malda (respondent no.4 in the present writ petition) to register a First Information Report on the basis of the complaint lodged by the petitioner against Balaram Ghosh and Minoti Ghosh, as annexed at page 91 of the writ petition, immediately and to take appropriate steps pursuance of the same thereafter.

The respondent no.4 shall act on the written communication of the learned Advocate for the petitioner, coupled with a server copy of this order, without insisting upon prior production of a certified

copy thereof for the purpose of compliance of the same.

There will be no order as to costs.

Urgent photostat certified copies of this order, if applied for, be made available to the parties upon compliance with the requisite formalities.

(Sabyasachi Bhattacharyya, J.)