

25.04.22
Sl-21
Ct.32
(S.R.)

**In The High Court At Calcutta
Civil Appellate Jurisdiction
Appellate Side**

**MAT No.936 of 2018
Ghanshyam Das Agarwal**

v.

The State of West Bengal & Anr.

with

CAN No.1 of 2018 (Old CAN No.7731 of 2018)

and

CAN No.2 of 2018 (Old CAN No.7732 of 2018)

Mr. Aniruddha Mitra
Ms. Mudrika Khaitan

... for the appellant.

Mr. Sirsanya Bandopadhyay, Jr. Standing Counsel
Mr. Arka Kumar Nag

... for the State.

The present appeal has been preferred against an order dated 7th February, 2018 passed in W.P. No.2010 (W) of 2018.

As we have invited Mr. Mitra, learned advocate appearing for the appellant to argue on merits, the delay in preferring the appeal is condoned and the application for condonation of delay being CAN No.7732 of 2018 is allowed.

Mr. Mitra submits that though there were materials on record to show that the police authorities had not taken appropriate steps on the basis of the complaint lodged by the writ petitioner/appellant, the learned Single Judge refused to interfere.

He further submits that till date no steps have been

taken by the police authorities to complete the investigation initiated on the basis of the complaint lodged by the appellant.

Mr. Bandopadhyay, learned Junior Standing Counsel appearing for the State, however, submits that upon completion of investigation, final report has already been submitted on 26th April, 2018.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

The argument as advanced on behalf of the appellant that the police authorities have failed and neglected to discharge their statutory obligations, is not acceptable to this Court. The order impugned in the present appeal is a reasoned one and we do not find any infirmity in the same.

In view thereof, no interference is called for and the appeal along with the stay application are dismissed.

There shall, however, be no order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

(Sugato Majumdar, J.) (Tapabrata Chakraborty, J.)