

13.9.2022

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WPA 18130 of 2022

Mukti Saha and Anr.
Vs
The State of West Bengal & Ors.

Mr. Subir Kr. Bhattacharyya
... For the Petitioners.
Mr. Pradip Kumar Roy,
Mr. Prabir Roy,
Mr. Joydeep Roy
... For the State.
Mr. Biplob Das,
Mr. Partha Sarathi Pal
... For the Respondent Nos. 2 & 3.

Affidavit-of-service filed in court be kept with the record.

Heard learned Advocates appearing for the parties.

Petitioners have made an attempt to make out a case in this writ petition that they are having an Account in the Co-operative Credit Society Limited and according to the petitioners the Society has defalcated their huge amount of money in the said Account of the Society as well as in the Locker of the Society in question. It appears from record being Annexure P-4 to the writ petition that the petitioners have made a representation through their Advocate on 15th June, 202, to the Registrar Co-operative Societies and the Assistant Registrar of Co-operative Societies. I find from record that the said representation has been considered and disposed of by the letter dated 28th June, 2022 being Annexure P-5 to the writ petition

and on perusal of the same I find that the issue relates to defalcation of money by the Society in question and FIR has already been lodged at the concerned Police Station on 1st of January, 2020 and charge-sheet has already been submitted by the Belghoria Police Station and in view of this facts, I am not inclined to entertain this writ petition being WPA 18130 of 2022 and, accordingly the same is dismissed.

However, dismissal of this writ petition will not prevent the petitioners from availing any statutory remedy available to them either before a Civil or Criminal Forum.

(Md. Nizamuddin, J.)