

03.01.2022
Court No.13
Item No.28
AP

WPA 18887 of 2021

Prosanta Kumar Ghosh
Vs.
Union of India and Ors.
(Through Video Conference)

Mr. Samim Ahammed

... For the Petitioner.

Mr. Amitesh Banerjee, Senior Advocate

... For the State.

The writ petitioner is aggrieved by the fact that he is required to be present in Madhya Pradesh and Karnataka to respond to notices under Section 41A of the Criminal Procedure Code.

The petitioner claims that his mobile number attached to aadhaar card have been used by third parties to commits acts of omission and commission in the States of Madhya Pradesh and Karnataka. The petitioner submits that he is willing to participate in the investigation online herein from Kolkata.

It is also prayed that the records of the UIDAI in so far as the petitioner's aadhaar card is concerned should be preserved.

This Court is of the view that the petitioner's grievance is in substance against two criminal investigations going on in two different States. This Court has no jurisdiction on the investigations that are going on in Madhya Pradesh and Karnataka.

In that view of the matter, no relief can be granted to the writ petitioner in the instant case.

Hence, the writ petition is dismissed.

There shall be no order as to costs.

The dismissal of the instant writ petition shall not prevent the writ petitioner from seeking any other relief before any appropriate forum in accordance with law.

The directions upon the UIDAI being sought by the writ petitioner are ancillary to be the first prayer. Hence, not considered in the instant proceedings.

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

(Rajasekhar Mantha, J.)