

29.8.2022
Sl.No.537
sn

WPA 21098 of 2021

**Anandamayee Majumder
Vs.
The State of West Bengal & Ors.**

**Mr. Jayanta Narayan Chatterjee
Mr. Debashis Banerjee
Ms. Paramita Mukherjee
Mr. Nazir Ahmed
Ms. Jayshree Patra
Ms. Sreeparna Ghosh
Ms. Ritushree Banerjee
Ms. Pritha Sinha
..for the petitioner**

**Mr. Sujan Chatterjee
Mr. Suvadeep Bhattacharjee
..for the respdt.5**

**Mr. Amitesh Banerjee
Ms. Ipsita Banerjee
..for the State**

The petitioner alleges that the officer-in-charge
Jadavpur Police Station, had not acted in
accordance with law.

Reliance has been placed upon an order
passed by the State Consumer Disputes Redressal
Forum, West Bengal, wherein the alleged negligence
of the respondent no.5, that is, the doctor, who
treated the victim, has been made.

The petitioner further submits that the
investigating agency, on an earlier occasion, had
filed a final report on mistake of fact.

A naraji petition was filed and reinvestigation
was ordered. It is submitted that the police

authorities have failed and neglected to take steps pursuant to the order of the learned Court below.

Mr. Banerjee, learned senior standing counsel submits that the reinvestigation of Jadavpur Police Station Case No. 8 dated January 3, 2014 under Section 304A of the Indian Penal Code had commenced and the investigation is in progress. The opinion with regard to the medical aspects of the case was sought from the Registrar of the West Bengal Council of Homoeopathy Medicine, in this regard.

Mr. Banerjee assures the Court that as the report has been received, the investigation shall be concluded in a free, fair and proper manner and concluded urgently.

As no affidavit in opposition has been filed, the allegation against the respondents are deemed to be denied.

The Court has not made any observations on the merits of the allegations as investigation is within the domain of the police authorities.

This writ petition is disposed of.

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

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)