

15.06.2023
Court No.13
Item No.3
AP

WPA 2073 of 2023

**Nemai Nayak and Anr.
Vs.
State of West Bengal & Ors.**

Mr. Nirmalya Kumar Das

... For the Petitioners.

Mr. Dwarika Nath Mukherjee
Mr. Janardan Mandal

... For the State.

1. The petitioner No.1 complains that he has not been able to trace out his wife and alleges that Dakshineswar Police has not taken any steps with regard to his complaint.

2. Learned counsel for the State has produced a report in the form of instructions dated 2nd February, 2023 issued by the Officer-in-Charge, Dakshineswar Police Station addressed to the learned Government Pleader and the same is taken on record.

3. It appears from the report that the police have been able to contact Smt. Banasree Nayek (Maji) and her mother Malati Maji. The relations between the petitioner and her wife have been strained since 2019. The wife is not receiving any maintenance. In view of the report of the police, the allegation of the petitioner No.1 against the police is wholly baseless.

4. The writ petitioner has suppressed material facts and has misled the respondents and this Court. The writ petition is an abuse of process of law.

5. The petitioners shall pay costs assessed at Rs.1,100/- to the Dakshineswar Police Station.
6. With the aforesaid directions, the writ petition shall stand disposed of.
7. There shall be no order as to costs.
8. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)