

11.04.2023
Item No.27
gd/ssd

WPA(P)/223/2021
SWAPAN KUMAR KARMAKAR
VS
THE STATE OF WEST BENGAL AND ORS.
with
WPA(P)/66/2022
MRINAL MAJHI
VS
STATE OF WEST BENGAL AND ORS.

Ms. Mousumi Chatterjee,
Mr. Sukanta Ghosh,
Mr. Sudhaya Satpati
..for the Petitioners.

Mr. S.N. Mookherjee, learned Advocate General,
Mr. Anirban Ray,
Mr. Raja Saha,
Mr. Jahar Lal De,
Mr. Nilotpall Chatterjee,
Mr. Yash Singhi
..for the State in WPA(P)/223/2021.

Mr. Jahar Lal De,
Mr. Supratim Dhar
..for the State in WPA(P)/66/2022.

Mr. Ananda Gopal Mukherjee
..for the Respondent Nos.8 and 9.

1. By this writ petition styled as a public interest litigation the petitioners seek for issuance of a Writ of Mandamus to conduct a proper investigation with regard to the theft of relief materials sent by the District Magistrate, Civil Defence Department to the people affected by Amphan Cyclone and also to call upon the respondents as to why proper investigation should

not be made by the Central Bureau of Investigation and add the relevant provisions of the Indian Penal Code.

2. The writ petition was filed during August, 2021 and reports have been filed from time to time and undisputed position as on date is that the investigation has been completed and charge-sheet has been led before the Additional Chief Judicial Magistrate, Basirhat, North 24-Parganas in Charge-sheet No.37 of 2022 and there is also another Charge-sheet No.39 of 2022.

3. In our considered view, the investigation done by the State police having been taken to the logical end and charge-sheet has been led, if any aggrieved person is of the view that the investigation has not been done in a proper manner and re-investigation or further investigation is to be made, we grant liberty to the concerned person including the writ petitioners to approach the concerned Court by way of an appropriate application which shall be considered and disposed of in accordance with law.

3. In view of the above observation, the writ petitions stand disposed of.

(T. S. SIVAGNANAM)
ACTING CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)

