

September 12, 2023
AD 310
Court No.14
SG

WPA 14230 of 2023

Asok Debnath and another
vs.
The State of West Bengal and others

Mr. Arindom Chatterjee
... for the petitioners

Mr. Debnarayan Banerjee
... for the State

Mr. D. Kar
... for the respondent No.17.

Affidavit of service filed in Court is taken on record.

A report filed by the State is also taken on record.

Learned advocate representing the petitioners submits as follows. The property was illegally sold in the garb of SARFAESI Act, 2002. The petitioners had to apply under Section 156(3) of the Code to have the FIR registered. Even after registration of the FIR, the investigating agency is not investigating the matter properly.

Learned advocate for the respondent authorities submits that the allegations made in the writ petition are denied. No prima facie case is made out as would be evident from a plain reading of the FIR.

Learned advocate for the State relies on the report and submits that the investigation is going on. Notices have given under Section 91 of the Code and relevant documents have been collected.

It appears that the investigation of the case is going on and the police are taking steps in this regard.

Let the investigating officer conclude the investigation expeditiously and in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]