

WPA 21259 of 2023

Smt. Kamala Manna & ors.
-vs-
State of West Bengal & ors.

Mr. Lal Mohan Basu
...for the petitioners
Mr. Biswabrata Basu Mallik
Mr. Tamal Taru Panda
...for the State
Mr. Rafikul Islam Sardar
...for the respondent no.8

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are the owners of the land in question. However, the respondent no.7 falsely claiming to be owner of such land sold half of such property to the respondent no.8. Respondent nos. 9 and 10 were the witnesses in the said deed. An FIR was lodged in this regard. But the same has not been properly investigated. The accused are roaming around freely in the area. But the Investigating Officer says that they are absconding.

Learned counsel for the private respondent no.8 submits as follows. The respondent is the bonafide purchaser of the property in question. The respondent no.7

had every right to sell such property being the real owner. There is a civil suit pending in this regard.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Several raids were held to nab the accused. But, they are actually absconding.

It appears that some steps have been taken by the Investigating Officer in dealing with the case.

However, no accused have been arrested till date.

The report also indicates that there is a civil suit pending purportedly in connection with the said property.

Let the Investigating Officer conclude the investigation as expeditiously and in accordance with law.

The further investigation of the case shall be conducted under the supervision of the DSP, Headquarters, Howrah (Rural) District.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)