

21.04.2023.
Court No.13
Item No. 7
ap

W.P.A. No. 27764 of 2022
Indrani Ghosh @ Ghosal
Versus
The State of West Bengal & Ors.

Mr. Anirban Mitra,
Mr. Amit Halder,
Ms. Madhumita Sadhukhan.

...For the petitioner.

Mr. Sandip Mandal,
Ms. Joyeeta Sinha.

...For the State.

Mr. Tanmoy Mukherjee,
Mr. Souvik Das,
Mr. K. Raihan Ahmed,
Mr. Rudranil Das.

...For the respondent no.7.

Mr. Abhra Mukherjee,
Mr. S. N. Bhattacharya,
Mr. Sauradeep Dutta,
Mr. Sawkshar Kumar Mondal.

....For the respondent no.6.

1. The respondent nos.6 and 7 are represented.
2. The respondent no.6 has claimed to be a bona fide purchaser for value of the flat from the late husband of the petitioner. He purchased it in the August, 2014 by a Registered Deed of Conveyance. The husband of the petitioner died in November, 2014 allegedly by cancer. The petitioner is begging on the streets.
3. The respondent no.7 claims he has been dragged into the proceedings as a promoter, who has colluded with the respondent no.6.
4. Having heard the Counsel for the respective parties at length, this Court finds that the allegations against the respondent nos.6 and 7 are baseless as of now and

even otherwise cannot be entertained in writ proceedings.

5. Any remedy that the petitioner may seek against them, is before an appropriate Civil Court.

6. The police are harassing the petitioner. Since the petitioner is about 58 years old as stated in the writ petition, Netajinagar Police Station shall attempt to accommodate the petitioner in a State Destitute Home.

7. The proceedings before the Additional Chief Judicial Magistrate at Alipore in respect of the charge-sheet being Netajinagar Police Station Case No.379 of 2017 dated 15th December, 2017 shall be expedited. The Magistrate shall dispose of the application under Section 173(8) of the Code of Criminal Procedure filed by the petitioner within a period of one month from the date of communication of a copy of this order.

8. Since no affidavit has been called from the respondents, the allegations made in the writ petition are deemed not to have been admitted by them.

9. The reports of the Netajinagar Police Station and Bansdroni Police Station in the form of instructions addressed to the State Advocate filed in Court today are taken on record.

10. With the aforesaid directions, the instant writ petition shall stand disposed of.

11. There will be no order as to costs.

12. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(*Rajasekhar Mantha, J.*)