

March 20, 2024
AD 9
Ct. No.14
SG

WPA 2093 of 2024

Surabala Das
vs
The State of West Bengal and others

Mr. Amitesh Banerjee
Mr. Tarak Karan
... for the State

Mr. Debashis Saha
... for the respdt Nos.4 & 5

No one appears on behalf of the petitioner.

The State and the respondent bank are represented.

A copy of the report filed by the State is taken on record.

Learned senior counsel representing the State relies on the report and submits as follows. Enquiry revealed that the petitioner has a bank account against which she applied for a personal loan of Rs.4 lakhs. The same was sanctioned. The applicant withdrew a sum of Rs.80,000/- on the same day on two consecutive occasions by issuing two withdrawal cheques vide number 664767 and 664768. She again withdraw Rs.1 lakh by issuing withdrawal cheque vide number 664769. The Branch Manager, State Bank of India confirmed that there was no discrepancy in the process of crediting the loan into the account of the applicant and there was no employee or associates of the bank in the names as alleged by the petitioner.

It appears that the police did not find any reason after holding to proceed a further preliminary enquiry on the complaint of the petitioner pertaining to a commercial transaction.

Therefore, no case is made out for allowing any relief in the writ petition.

However, if the petitioner still believes that a cognizable offence is made out, she shall be at liberty to act in terms of the directions passed by the Hon'ble Apex Court in *Aleque Padamsee's case* reported at (2007) 6 SCC 171.

With these observations, the writ petition is disposed of.

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

Parties shall act on a server copy downloaded from the official website of this Court.

[Jay Sengupta, J.]