

S/L 35
06.3.2024
Court No.14
SD

WPA 3775 of 2024

Soma Mukherjee
Vs.
The State of West Bengal & Ors.

Mr. Arka Pratim Chowdhury
Ms. Shreya Chakraborty

...for the Petitioner.

Mr. Rajarshi Basu
Mr. Anirban Datta

...for the State.

Affidavit of service filed by the petitioner is taken on record.

There is no indication that the private respondent has been served with notice.

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

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner along with her husband runs a homestay at Bangur Avenue. She had entered into a leave and licence agreement with the private respondent. Subsequently, it was learnt that the private respondent was involved in several fraudulent activities like cyber crime, forgery, extortion, etc. However, he has become untraceable and now, a horrible smell is coming from the said portion of the premises that he was occupying. He has fled away with all his belongings. Accordingly, petitioner approached the police authority to render necessary help, but that was not provided.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. From the representation made before the police authority, it appears that the prime grievance of the petitioner was that the private respondent was involved in cheating and other fraudulent activities. There was no story of any smell coming out from the said premises as mentioned in the representation. If any such thing subsequently happens, the petitioner shall be at liberty to move another writ petition.

It appears that neither the representation dated February 8, 2024 nor the writ petition contains any averment that any kind of smell was coming out from the locked premises. Nor does the representation/demand justice make out any cognizable case or contain details of any offence.

Therefore, no further order need be passed in this respect.

With these observations, WPA 3775 of 2024 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.)