

14-10-2024
Item No.9 VB
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.14106 of 2024
Taslim Sekh

-vs-

The State of West Bengal & Ors.

Ms. Sumita Sarkar
Ms. Arित्रy Ghoshal ...for the petitioner

Mr. K.J. Yusuf
Mr. Saptarshi Guha
Mr. Sanjay Mukherjee ...for the State

Ms. Indrani Majumder ...for respondent no.4

Affidavit of service filed in court be taken on record.

By filing the instant writ petition, the writ petitioner alleges that he is the owner of the vehicle having registration No.JH04Z7255 dated July 30, 2018 which was purchased by him on hire purchase agreement basis from the private respondent no.4, HBD Financial Services Private Limited.

It is submitted on behalf of the petitioner that all on a sudden he noticed that his said vehicle was taken away by some miscreants and accordingly he approached the respondent no.3, the Officer-in-Charge of Samserganj police station, but no action has been taken despite filing a written complaint.

Per contra, learned advocate appearing for the State draws attention of this court to a report dated October 13, 2024 submitted by the Officer-in-Charge of

Samserganj police station, which is taken on record. From the said report it would reveal that on the basis of the written complaint of the writ petitioner, a case being Samserganj P.S. Case No.292 of 2024 dated May 21, 2024 under section 379 IPC was started against some unknown persons and the investigation is going on.

Learned advocate for the Finance Company, the respondent no.4 herein, submits that the writ petitioner has defaulted in payment of the instalment amount as per the hire purchase agreement. However, it has been stated that the vehicle has not been repossessed by her client.

Such being the position, while disposing of the writ petition this court directs the investigating officer of Samserganj police station to conclude the investigation in Samserganj P.S. Case No.292 of 2024 dated May 21, 2024 positively within three months from the date of communication of this order and to submit a final report before the jurisdictional Magistrate.

With the aforesaid observations, WPA No.14106 of 2024 stands disposed of.

All parties are to act on the server copy of this order duly downloaded from the official website of this court.

Certified copy of this order, if applied for, shall be made available to the parties.

[Partha Sarathi Sen, J]

