

D/L69
27.09.2024
Bpg.
ct.no.35

W.P.A.19199 of 2024

**Samiran Pal
Versus
The State of West Bengal & others**

Mr. Sabyasachi Chatterjee
Mr. Pintu Karar
Mr. Akashdeep Mukherjee.
...for the petitioner.

Mr. Rajarshri Basu
Mr. Anirban Datta.
...for the State-respondents.

Affidavit-of-service filed by the petitioner be kept with the record.

Report submitted by the learned advocate for the State be also kept with the record.

Pursuant to the complaint filed by the petitioner with the Officer-in-Charge, Haridevpur Police Station, Haridevpur Police Station Case No.430 of 2024 dated 22.07.2024 has been registered under the specific provisions of BNS of 2023. Notice under Section 94 of BNSS has been served upon the complainant by the Investigating Officer of this case as is reflected from the report submitted on behalf of the State.

In view of the investigation having commenced and the petitioner submitted that the

petitioner happens to be a co-sharer and allegedly whose signature was forged, his personal and family personal belongings are still inside the premises from where he and others have been dispossessed by an order under Section 14 of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, I am of the opinion that the learned jurisdictional court being in *seisin* of the case being Haridevpur Police Station Case No.430 of 2024 dated 22.07.2024, would, if the petitioner prefers an application so far as his personal and family personal belongings are concerned, within a period of fortnight from the date of the application dispose of the same provided the personal belongings were not the subject matter of the execution related to the SARFESI proceedings. Since the investigation has commenced, the Investigating Officer by taking effective steps would take the investigation to its logical conclusion in accordance with law.

With the aforesaid observations, WPA 19199 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

A copy of the report be handed over to Mr. Chatterjee, learned advocate appearing for the petitioner.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

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

(Tirthankar Ghosh, J.)