

04.12.2024
Item No.26
Ct. No.35
dc.

W.P.A. 24178 of 2024

Amanulla Laskar
versus
The State of West Bengal & Ors.

Mr. Jagannath Ganguly,
Mr. Tanmay Manna ... For the Petitioner.

Mr. Suman Ghosh,
Mr. Siddhartha Ghosh ... For the State.

State has submitted a report enclosing the statement of the present petitioner viz. Amanulla Laskar. Let the same be kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The said report reflects that the petitioner and his wife are staying together. In spite of the same, they are fighting in court under Sections 498A/34 of the Indian Penal Code as also a counter-case initiated at the behest of the mother of the petitioner under Sections 341/342/323/325/379/506/34 of the Indian Penal Code.

The petitioner has approached this Court for recovery of certain testimonials and deed which are still lying in the custody of the private respondents. The private respondents include the wife of the petitioner and her relations. Search was conducted by the police authorities. Nothing could be recovered. *Prima facie* it seems that the petitioner and his wife are in a relationship, as such the

police authorities are unable to use the excesses under law.

Under the aforesaid circumstances, if the wife of the petitioner aids the police authorities in recovery of the testimonials and the deed, the police authorities would take appropriate steps in accordance with law.

In view of the report which has been submitted and the steps taken by the police authorities, further pendency of the writ petition is unwarranted.

Accordingly, the writ petition being WPA 24178 of 2024 is disposed of.

There shall be no order as to costs.

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

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

(Tirthankar Ghosh, J.)