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Court no. 14
09.01.2024
D.Hira

W.P.A. 24592 of 2023

Geeti Hakim
-versus
The State of West Bengal & Ors.

Ms. Mita Banerjee Ray,
Mr. Barun Kumar Ray.
... for the petitioner

Mr. Ashim Kumar Ganguly, Id. Senior Adv.,
Ms. Jyotsna Roy Mukherjee.
... for the State

Affidavit-of-service filed on behalf of the petitioner in Court today is taken on record.

Despite service no one appears on behalf of the private respondents.

Reports filed on behalf of the State are also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner is aggrieved with the inaction of the police in registering an FIR on a complaint sent by the petitioner by E-mail to the concerned authorities on 01.10.2023. The prime allegation of the petitioner is that although she was in-charge of a Durga Puja, the private respondents fraudulently changed the password registered with the Government Portal at "AASAAN". This was brought to the notice of the respondent authorities, but no steps were taken.

Learned counsel appearing on behalf of the State relies on the report and submits that an enquiry was done and no irregularity was found.

If the police authorities had actually undertaken a preliminary enquiry and decided to close the complaint made by the petitioner, then they should have intimated the

petitioner about the same as per the direction passed by the Hon'ble Apex Court in **Lalita Kumari's case, (2014) 2 SCC**

1. However, there is no indication that the same was done.

If the petitioner believes that a cognizable case is made out on the complaint made by her before the police and not acted upon, she shall be at liberty to proceed in terms of the ratio laid down in **Aleque Padamsee's case, (2007) 6 SCC 171.**

No further order needs to be passed in this regard.

With these observations, the writ petition is disposed of.

All parties are directed to act on a server copy of this order, duly downloaded from the official website of this Hon'ble Court.

(Jay Sengupta, J.)