

07.11.2024
Item No.31
Ct. No.35
dc.

W.P.A. 26313 of 2024

**Tapan Kumar Bar & Anr.
versus
The State of West Bengal & Ors.**

Mr. Prasanta Kumar Pakrashi ... For the Petitioners.

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

Affidavit-of-service filed in Court today be kept with the record.

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

The petitioners are aggrieved by the act and actions of the police authorities as well as the bank authorities, as a padlock has been affixed over his property.

State has submitted a report which reflects that the police authorities have acted pursuant to the direction passed by the Senior Executives of the Government and as such has rendered assistance under the relevant provisions of the SARFAESI Act.

In view of the grievance expressed by the petitioners and an order being relied upon which is pursuant to the writ petition having been preferred before this Court, I direct that if any inconveniences have been caused pursuant to the police authorities exercising their powers, the same be brought to the notice of either the superior police authorities. Further if the petitioners are aggrieved, they would

approach the jurisdictional criminal court under Section 175(3)/175(4) of BNSS, 2023. The jurisdictional criminal court will act in accordance with law after adhering to the provisions of the statute and exercising its discretion.

With the aforesaid observations, the writ petition being WPA 26313 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.)