

D/L 47
17.01.2025
Bpg.
ct.no.35

W.P.A.325 of 2025

**Pradip Dutta
Versus
The State of West Bengal & Ors.**

Mr. Pinaki Ranjan Chakrabarti
Mr. M. Chakrabarti.
...for the petitioner.

Mr. Suman Ghosh
Mr. Sankha Prasad Roy.
...for the State-respondents.

Ms. Papiya Chattopadhyay
Mr. Sankho Ghosh.
...for the respondent no.9.

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

Petitioner complains that he was a bargadar
and cultivating a land. All on a sudden in the year
2024 he found that from the public records on the
basis of false and fabricated documents, his name
was removed and deleted as a bargadar. To that
effect, petitioner submitted an information with the
police station. However, the police authorities of
Kanksa Police Station expressed their incapacity in
view of the plot of land referred to.

Be that as it may, the petitioner as he has
claimed that there has been issue relating to

fabrication of documents for deleting his name from a public record, he is entitled to an investigation. Accordingly, the petitioner is granted liberty to approach the jurisdictional Magistrate under Section 175(3) of the BNSS. Learned Magistrate will exercise its discretion under the relevant provision of law and thereafter pass necessary orders.

Learned advocate appearing for the private respondent no.9 submits that the plot No.708 which has been referred to is owned by him. Police report also reflects to some extent that already an Institute, namely, Durgapur Institute of Advanced Technology and Management is operating from the said plot of law.

Be that as it may, the same would be a subject matter of initial enquiry prior to any order passed by the learned Magistrate.

With the aforesaid observations, WPA 325 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

Needless to state that as no affidavits have been exchanged, the accusations against the State and the private respondent no.9 are deemed not to have been admitted.

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.)