

06.03.2025
Court No. 35

Item No.6
Rakib

W.P.A. 323 of 2023

Mukul Das.
VS
The State of West Bengal & Ors.

Mr. Bidyut Kr. Halder,
Mr. Indranil Halder.
... for the Petitioner.
Mr. Nilotpal Chatterjee,
Mr. Amritalal Chatterjee.
... for the State.

Petitioner complained to the Officer-in-Charge, Nodakhali Police Station on or about 22.11.2022 that one third of the share of their land has been sold away by one Subrata Das, Swapan Kumar Das, Prabitra Kumar Das and Goutam Das. The petitioner Mukul Das has been deprived of his share of property and/or the consideration received, nor his consent was taken.

Learned advocate for the State has submitted a report. Report reflects that the property was sold on the basis of a Power of Attorney which was signed by Subrata Das, Swapan Kumar Das, Prabitra Kumar Das and Goutam Das. In the Power of Attorney petitioner's signature do not appear. A GD Entry being 62 dated 02.12.2022 has been enclosed along with police report which reflects that the petitioner on being asked failed to produce any documents that the respondent Subrata Das and his other brothers have sold the portion of the land which belonged to him.

Petitioner is directed to approach the Nodakhali Police Station with the documents in his custody. If the petitioner is able to satisfy the concerned enquiry officer regarding the portion of the land belonging to him and the same has been sold away at the behest of the private respondents, in that case the police authorities will not deter from registration of any FIR.

With the aforesaid observations WPA 323 of 2023 is disposed of.

Report submitted by the State be kept with the record.

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

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.)