

D/L 95  
27.01.2025  
Kausik  
ct.no.35

**W.P.A. 1430 of 2025**

**Prolay Mondal & Anr.  
Versus  
State of West Bengal & Ors.**

Mr. Argha Banerjee  
Mr. Avishek Choudhury

...for the petitioner.

Mr. Saurabh Guhathakurata  
Mr. Abhratanu Sarkar

...for the respondent no. 2.

Mr. Uttam Kr. Bhattacharyya

...for the respondent nos. 7 & 8.

Mr. Debjit Mukherjee  
Ms. Susmita Chatterjee

...for the state.

Affidavit of service so filed be kept with the  
record.

Petitioner is unable to show that any  
information was furnished to the police authorities  
but is aggrieved by the fact that the financier has lifted  
the machines without authority of law and with the  
aid of the police authorities.

Learned advocate appearing for the State has  
submitted a report. Report reflects that in Misc. Case  
No. 9572 of 2024, an order was passed on 17.12.2024  
by learned Judge, City Civil Court, Bench 13 wherein

specific directions were there upon the receiver to take assistance of the police authorities for intercepting the industrial equipment. Accordingly the officers of Jagacha Police Station rendered police assistance to Cholamandalam Investment and Finance Company Limited for recovery of the machines concerned.

Since a due process of law was followed, until and unless the present petitioner is able to set aside the order, police authorities cannot be held responsible while working in discharge of their official duties.

Learned advocate for the private respondents is present and submits that by adhering to the course of law, the machines have been recovered from the petitioner.

Be that as it may having regard to the nature of the steps taken and the grievance of the petitioner, I am of the view that this court is not inclined to interfere in respect of the grievance so expressed.

Having regard to the circumstances present before this court, petitioner would be at liberty to approach the jurisdictional court for appropriate reliefs.

With the aforesaid observations WPA 1430 of 2025 is disposed.

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

***(Tirthankar Ghosh, J.)***