

10.02.2025
Item No.21
Ct. No.35
dc.

W.P.A. 2333 of 2025

**Riya Paul
versus
State of West Bengal & Ors.**

Mr. Nil Basu,
Mr. Sanway Banerjee,
Mr. Sankha Biswas ... For the Petitioner.

Mr. Amal Kumar Sen, AGP,
Mr. Lal Mohan Basu ... 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 also kept with the record.

The petitioner is aggrieved by the investigation carried out by Bidhannagar North Police Station wherein the investigating agency on conclusion of investigation, submitted charge-sheet in connection with Bidhannagar North Police Station Case No. 117/2023 dated 21.07.2023.

The petitioner preferred an application under Section 173(8) of the Code of Criminal Procedure which was disposed of on 18.11.2024 by the learned ACJM, Bidhannagar. Having considered that a judicial authority is already in seisin of the matter and an order has been passed by a court of law, I am of the view that the petitioner has an efficacious alternative remedy to be exhausted. Accordingly, the present petition under Article 226 of the Constitution of India is not maintainable.

The petitioner would be at liberty to approach the appropriate forum dealing with the statutory remedies under the relevant provisions of law for the purposes of challenging the order dated 18.11.2024 passed by the learned ACJM, Bidhannagar.

With the aforesaid observations, the writ petition being WPA 2333 of 2025 is disposed of.

There will 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.)