

03.03.2025

Item No.34

Ct. No.35

dc.

W.P.A. 3879 of 2025

**Sri Titas Roy Chowdhury
versus
The State of West Bengal & Ors.**

Mr. Asit Kumar Bhattacharya ... For the Petitioner.

Mr. Malay Singh,
Ms. Neelam Singh ... For the State.

Report submitted by the learned advocate appearing for the State be also kept with the record. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner has approached this Court being aggrieved by the action of the police authorities as the petitioner claims that a padlock has been affixed in the shop room and the keys are to be handed over to the petitioner and in spite of informing the police authorities, they have refused to do the same.

State has submitted a report which reflects that the property belonged to one Subrata Roychowdhury who met with an unnatural death. Consequently, Sarsuna Police Station UD Case No. 58 dated 28.12.2024 was registered for investigation and after post-mortem examination of the dead body of Subrata Roychowdhury, the same was handed over to one Santa Roychowdhury who, according to the police, was wife of the deceased. It has also been acknowledged in the report that the residence of the deceased Subrata Roychowdhury

was locked and the keys were kept at the police station vide Sarsuna Police Station Malkhana No. 81/24 for pending claimant and the same was also intimated to learned Additional Chief Judicial Magistrate, Alipore, South 24-Parganas. The present petitioner on two occasions sent letters claiming the keys of the locked room of the deceased Subrata Roychowdhury and also one Sowmi Roy Chowdhury being the daughter of the deceased Subrata Roychowdhury sent two letters to the police station concerned.

In view of the aforesaid, police authorities are not in a position to hand over the keys to either of the parties. As such, I am of the opinion that the steps taken by the police authorities are in consonance with the existing circumstances as there are more than one claimants. Consequently, it would be the duty of the petitioner to establish his right before the civil court concerned. As such, no interference is called for.

The writ petition being WPA 3879 of 2025 is dismissed.

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.)