

23.04.2025
Court No. 35
Item No.101
Rakib

W.P.A. 7733 of 2025

**M/s. Girish Chandra Ghosh &
G.C.S. & Anr.
VS
The State of West Bengal & Ors.**

Ms. Reshmi Ghosh,
Ms. Parna Parna Mukherjee.
... for the Petitioners.
Mr. Sourav Sen, Sr. Adv,
Mr. Sayantan Rakshit,
Ms. Adrisnata Chakraborty.
...for the respondent nos. 4 &5.
Mr. J.K. Mondal.
...for the respondent no.6.
Mr. Amal Kr. Sen, Ld. AGP,
Ms. Ashima Das (Sil).
...for State.

Affidavit-of-service filed by the petitioners be kept
with the record.

Petitioners are aggrieved as no action was taken
on the information furnished with the Officer-in-Charge,
Cossipore Police Station on or about 16.01.2025.
Petitioners claim that on misrepresentation on different
counts a sum of Rs.10.20/- lakh (approximately) and
Service Tax of Rs.3.62/- lakh (approximately) was
deceived in course of such misrepresentation being made
by the private respondents.

State has submitted a report wherefrom it reflects
that Cossipore Police Station case no. 49/2025 dated
08.04.2025 under Sections 318(4)/61(2) of BNS, 2023
has been registered for investigation.

Learned advocate appearing for the respondent nos. 4 and 5 submits that in an absolutely commercial transaction arising out of a work order the police authorities being pressurized at the behest of the petitioners, has registered the case. Neither there was any misrepresentation nor any amount was misappropriated as has been complained of on behalf of the petitioners.

So far as the merits of the case are concerned it would be for the proper forum to adjudicate the same, at this stage this Court will not enter into the said domain. Having regard to the police report, *prima facie* for which the writ petition was preferred has been subserved.

Accordingly, WPA 7733 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

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.)