

D/L 24  
21.05.2025  
Bpg.  
ct.no.35

**W.P.A.9451 of 2025**

**Sitesh Das  
Versus  
The State of West Bengal & Ors.**

Mr. Pronojit Ray  
Mr. Debasis Mitra  
Mr. Arka Mahalunabis.  
...for the petitioner.

Mr. Susovan Sengupta  
Mr. Akash Dutta.  
...for the State-respondents.

Mr. Ranjit Singh  
Mrs. Tutul Das  
Mr. Amar Singh  
Mr. Ratul Deb Banerjee  
Ms. Puja Banerjee.  
...for the respondent nos.4 to 6.

Petitioner is aggrieved by the fact that at the time of seizure of the vehicle being WB-29C/4572 there were goods in the vehicle. The seizure of the vehicle was effected along the goods, according to the petitioner. The said fact by way of a report has been disputed by the Inspector-in-Charge, Suri Police Station, Birbhum.

Learned advocate for the private respondents submits that pursuant to directions of the court the possession of the vehicle was taken.

On the other hand, learned advocate for the petitioner submits that there was already a title suit

pending wherein directions were passed and the injunction order was existing.

Be that as it may, since T.S. No.117 of 2025 is still pending, I grant liberty to the petitioner to take out an application before the learned civil court along with the documents in his possession to substantiate that at the time of seizure of the vehicle there were goods available in or along with the vehicle. If such an application is preferred by the petitioner, the civil court after issuing notice to the necessary parties would dispose of such application preferably within a period of 30 days of filing of the same.

With the aforesaid observations, WPA 9451 of 2025 is disposed of.

There will be no order as to costs.

Report so submitted be kept with the record.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

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