

M/L 07
07.07.2025
ct.no.35
Kausik

W.P.A. 10157 of 2025

**Kundan Barman & Anr.
Versus
State of West Bengal & Ors.**

Mr. Saptarshi Chakraborty
Mr. Tirupati Mukherjee

...for the petitioner.

Mr. Sirsanya Bandopadhyay, Sr. St. Counsel
Mr. Akash Dutta

...for the State.

Petitioner is aggrieved by the fact that the representation which was advanced to the Superior Officers of Police including that of the local police station did not yield any result. Petitioner claims that, petitioner has approved documents for transportation of coal. However, he has been subjected to harassment by the police authorities. Petitioner has also referred to a series of orders which have been passed by Co-ordinate Benches.

Mr. Dutta, learned advocate appearing for the State submits that earlier similar writ petitions have been dismissed.

Be that as it may, there cannot be uniform directions in all the cases and the police authorities cannot be stalled from exercising their powers under

law. In case of suspected impropriety while transporting coal, if on the basis of information so received, police authorities act in accordance with law there cannot be a blanket direction by this Court while exercising its jurisdiction under Article 226 of the Constitution of India to deter the police authorities from exercising their lawful powers.

In case any steps are taken by the police authorities, petitioner would be at liberty to produce the lawful documents. In such circumstances police authorities would ensure that the petitioner may not be subjected to any impediment while carrying on his business.

With the aforesaid observations WPA 10157 of 2025 is disposed of.

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

(Tirthankar Ghosh, J.)