

22
18.06.2025
Ct. No. 11
Jayanta

WPA (H) 40 of 2025

Sima Mukherjee (Biswas)
vs.
State of West Bengal & Ors.

Mr. Pinaki Dhole
Mr. Kunal Ganguly
Mr. Rabindra Kumar Pathak
....For the Petitioner.

Mr. Debabrata Chatterjee, Ld. Sr. Adv.
Mr. Simanta Kabir
....For the State.

Mr. A. K. Ghosh
Ms. Tanushree Dasgupta
....For the KMC.

Mr. A. Chowdhury
Mr. Samrat Paul
Mr. S. Bhattacharyay
....For the Respondent No. 7.

Heard Mr. Dhole, learned advocate appearing for the petitioner.

Mr. Ghosh, learned advocate enters appearance on behalf of the KMC.

Mr. Chowdhury, learned advocate enters appearance on behalf of the respondent no. 7 and submits that the petitioner's brother had already expired on 21st December, 2024.

Mr. Kabir, learned advocate appearing for the State respondents has placed before this Court the death certificate of the petitioner's brother and he submits that considering the complaint lodged by the petitioner it was ascertained that the petitioner's brother has

already expired on 21st December, 2024. Let the death certificate and the medical certificate of cause of death, as produced, be kept on record.

The present Habeas Corpus petition is not maintainable since it is not a case of illegal detention. The writ petition had been preferred primarily praying for a direction upon the respondents *‘to file a report as to the authenticity of the information of death of the brother of the petitioner by providing the date, place of death and the death certificate of the brother of the petitioner’*.

In view thereof, the writ petition being, WPA (H) 40 of 2025, is dismissed.

Nothing herein shall, however, prevent the petitioner from initiating proceedings before any other Court or forum for seeking relief, in accordance with law.

(Reetobroto Kumar Mitra, J.) (Tapabrata Chakraborty, J.)