

D/L 68
30.06.2025
Bpg.
ct.no.35

W.P.A.12633 of 2025

**Sudhir Kumar Patodia
Versus
State of West Bengal & Ors.**

Mr. Phiroze Edulji
Mr. Arindam Paul
Ms. Sohini Choudhury.
...for the petitioner.

Mr. Swapan Banerjee
Mr. Diptendu Narayan Banerjee
Mr. Soumen Chatterjee.
...for the State-respondents.

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

Petitioner alleges that the private
respondents one Pawan Kumar Patodia and Daya
Patodia being directors of Ashoka Farms Limited
deprived the other stakeholders and sold the property
of Ashoka Farms Limited at Orissa. To that effect,
information was furnished to the Officer-in-Charge,
Hare Street Police Station, but no steps have been
taken. Learned advocate for the petitioner submits
that the registered office of the company of Ashoka
Farms Limited is situated within the jurisdiction of
Hare Street Police Station.

State has submitted a report. Report reflects that the dispute is civil in nature and also beyond the jurisdiction of the police station.

The subject matter of the case relates to the petitioner being a stakeholder is deprived. If the property which is situated has already been sold, according to the accusations made by the petitioner, in that case, it is only the transfer of the property which is to be checked at Orissa. So far the documents are concerned, the same are within the jurisdiction of Hare Street Police Station as the registered office is situated therein.

Be that as it may, petitioner would approach the jurisdictional Magistrate under the provisions of Section 175(3) of the BNSS. Learned Magistrate would assess regarding the genuinity of the allegations, ascertain whether such transfer resulted in deception and deprivation to the other stakeholders of the company and thereafter pass necessary directions upon the Hare Street Police Station.

With the aforesaid observations, WPA 12633 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.)