

D/L 75
15.07.2025
ct.no.35
Kausik

W.P.A. 13777 of 2025

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

Mr. Sukanta Chakraborty
Mrs. Benajir Hasna
Mr. Aninda Halder
Mr. Aliul Islam
Mr. Sadid Haider

...for the petitioner.

Mr. Jahar Lal De, AGP
Mr. Shamim-ul-Bari

...for the State.

Petitioner is aggrieved by the fact that the signature of the petitioner was obtained by fraud and the private respondent who is enjoying the benefit of service has submitted forged documents before the authority so far as his date of birth is concerned and thereby obtained the service for which the petitioner herself was also a claimant.

State has submitted a report. Report encloses number of documents including an affidavit which was submitted. The affidavit incorporates the signature of the petitioner which has been relied upon by the State to submit that there was no objection given by their relatives, consequent to which, the private respondent received the service.

The particular signature which has been relied upon by the State has been disputed by the petitioner and submits that the same is the genesis of the cause of action.

Be that as it may, since the document referred to by the State is of the year 2014 and more than 10 years have passed, I direct that the petitioner would be at liberty to approach the jurisdictional Magistrate under section 175(3) of the BNSS. Learned Magistrate would call for a report from the police authorities and thereafter assess and ascertain regarding the genuinity of the documents. In case, a cognizable offence is made out, learned Magistrate will not hesitate to pass necessary directions for investigation by the police authorities.

With the aforesaid observations WPA 13777 of 2025 is disposed of.

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.

(Tirthankar Ghosh, J.)