

Sl.No.

674 05.08.2025

Court
No. 35

G.S.Das

WPA 15435 of 2024

Mrs. Moutushi Rani Poria -Vs- The State of West Bengal & Ors.

Mr. Shyamal Ray
... for the Petitioner(s)

Mr. Suman Ghosh
Mr. Sankha Prasad Ray
... for the State – Respondent(s)
Ms. Soni Ojha
Ms. S. B. Chatterjee
... for the respondent nos.5&7

The petitioner is aggrieved by the fact that inspite of informing the police authorities regarding the manner in which the vehicle was taken away by the respondent nos. 5 and 7, and no steps were taken by the police authorities.

State has submitted a report which reflects that at the relevant point of time the dues accumulated to Rs.3.87 lakh (approx). As such, the contention which has been raised by the petitioner that a single EMI of Rs.46,400/- was due, is incorrect.

An enquiry was also conducted which do not reveal any untoward incident having taken place.

Learned advocate for the respondent nos. 5 and 7 submits that the genesis of the dispute is from a contractual agreement, as such, the police authorities have hardly any scope to interfere with the issues.

Having considered the plight expressed by the petitioner, I am of the view that since the police authorities did not take any steps, the petitioner would be at liberty to approach the jurisdictional Magistrate under the relevant provisions of law. The learned Magistrate would assess and ascertain regarding the accusations, thereafter, pass necessary directions as he/she deems fit and proper.

With the aforesaid observations, WPA 15435 of 2024 is disposed of.

Pending application(s), if any, is

also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)