

06.08.2025
Item No.691
Ct. No.35
dc.

W.P.A. 15768 of 2024

**Subhra Banerjee
versus
State of West Bengal & Ors.**

Ms. Amrita Tewari ... For the State.

As none appears on behalf of the State, Ms. Amrita Tewari, learned advocate, who ordinarily appears for the State, is directed to represent the State. Her appointment may be regularised by the concerned authorities.

Petitioner has approached this Court being aggrieved by the act and actions of the private respondent nos. 5 to 8 and has prayed that politically influential persons have been creating disturbances from usage of public amenities. Representation was made to the police authorities, but the same did not yield any result.

Documents enclosed along with the writ petition reflect that petitioner initiated a criminal case being Golabari Police Station Case No. 114 of 2021 dated 14.04.2021 wherein charge-sheet was submitted under Sections 448/427/506 of the Indian Penal Code. However, the petitioner being aggrieved, filed a protest petition and at the time when the writ petition was preferred, the report relating to further investigation was not filed before the Court.

Having considered that a jurisdictional court is in seisin of the criminal case, I am of the view

that the learned Magistrate would in connection with the aforesaid case, take steps, if till date the report relating to further investigation has not been filed.

So far as the inconveniences from politically influential persons are faced by the petitioner, if till date the same continues, petitioner would submit a fresh representation to the superior officer of police in the rank of Deputy Commissioner or the Commissioner of Police who would through an authorised officer of his choice assess regarding the genuinity of the allegation and communicate the outcome to the petitioner within a reasonable period of time.

With the aforesaid observations, the writ petition being WPA 15768 of 2024 is disposed of.

Pending connected application, if any, is consequently disposed of.

There will be no order as to costs.

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

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Tirthankar Ghosh, J.)