

**29.07.2025**  
Item No.83  
Ct. No.35  
dc.

**W.P.A. 16037 of 2025**

**Ramkrishna Ashrama Thakurbari**  
**versus**  
**The State of West Bengal & Ors.**

Mr. Soumyajit Das Mahapatra,  
Ms. Madhurai Sinha,  
Ms. Upasana Banerjee ... For the Petitioner.

Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel,  
Ms. Tapati Samanta ... For the State.

Affidavit-of-service filed in Court today be  
kept with the record.

Report submitted by the learned advocate  
appearing for the State be also kept with the record.

Petitioner has approached this Court with the  
following prayers :

- “a) A direction upon the respondent  
authority no. 4 to take up the  
investigation and register the FIR in  
accordance with the complaint dated  
22.06.2025 u/s. 173(1) BNSS and  
treat it as original complaint against  
the private respondents after adding  
appropriate penal provisions;
- b) A direction upon the respondent  
authority no. 4 to keep a strong vigil  
over the private respondents and  
their men and goons to stop them  
from causing any further damage to  
the Ashram property, harassment  
and indecent acts to the residents of

- the Ashram and prevent them from causing any ruckus and disturbance at the premises of the Ashram;
- c) A writ of or in the nature of Mandamas do issue commanding the respondent no. 4 to initiate proper investigation by collecting materials, record statements under section 180/183 of the BNSS, arrest the accused persons and to file Charge Sheet forthwith for commission of such a heinous criminal offence;
- d) A writ of or in the nature of Certiorari do issue calling upon the respondents to certify and transmit to this court the original records of the case before this Hon'ble Court so that conscionable justice may render to the petitioner by passing an appropriate order;
- (f) Rule NISI in terms of prayers above;
- (g) An interim order in terms of prayer (a), (b) and (d) till the disposal of the rule;
- (h) And pass such other further order or orders as to Your Lordship may seem fit and proper."

I find from the representation made by the petitioner which involves two girls who were with the petitioner from their childhood being handed over by the father with instructions not to hand over the said daughters to the mother. After the death of father, mother have been repeatedly trying to take away the daughter namely Indira Das. The said girl child was handed over to CWC and after attaining majority, she has returned to Ashram and expressed her intention to continue to stay with the Ashram. However, the mother viz. Monika Das has been pursuing her intention of taking away the girl who is presently major and to that extent has been using abusive languages and threats to the other residents of the trust/Ashram. Police authorities have drawn up proceedings under section 126 of BNSS. Having considered that the petitioner has approached the Court with the prayers as referred to above, I am of the view that since alternative and efficacious remedy is available to the petitioner, the exceptional jurisdiction for invoking the provisions of Article 226 of the Constitution of India is uncalled for. Petitioner, if so required, would approach the jurisdictional court.

With the aforesaid observations, the writ petition being WPA 16037 of 2025 is 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.)**