

D/L 62
20.03.2025
Kausik
ct.no.35

W.P.A. 17323 of 2024

**Abdur Rahaman Molla
Versus
The State of West Bengal & Ors.**

Mr. Ranjan Saha
Ms. Ankita Saha
Mr. M. Ahamed

...for the petitioner.

Mr. Amar Singh
Mrs. Tutul Das
Mr. Ratul Deb Banerjee
Ms. Anuska Ray

...for the respondent no. 9.

Mr. Dipanjan Datta, Sr. Govt. Adv.
Ms. Sukanya Datta

...for the state.

Petitioner is aggrieved by the fact that he purchased a vehicle wherein he was cheated by way of false representation, the respondent no. 8 along with the finance company sold vehicle which was of such a quality that he was unable to ply the same on the road. The same was done intentionally and knowingly for causing wrongful loss to the petitioner and wrongful gain to the private respondents. In spite of informing the police station no steps were taken.

Learned advocate for the respondent no. 9 submits that the genesis of the case arise from an agreement and there is an arbitration clause as such the petitioner may be referred for arbitration.

Learned advocate for the State submits that pursuant to the information furnished Haroa Police Station Case No. 335/2024 has been registered for investigation. In view of the petitioner's purpose for preferring the writ petition has been subserved, I am of the view at this stage the police authorities should be only directed to take the investigation of the case to its logical conclusion.

With the aforesaid observations WPA 17323 of 2024 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to the learned advocate appearing for the petitioner.

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

(Tirthankar Ghosh, J.)