

27.01.2025
Item No.18
Ct. No.35
dc.

W.P.A. 17659 of 2024

**Shri Partha Roy & Anr.
versus
The State of West Bengal & Ors.**

Mr. Golam Mastafa,
Mr. Tarasankar Samanta,
Mr. Kazi Asif Iqbal ... For the Petitioners.

Mr. Rajarshi Basu,
Mr. K. M. Hossain ... For the State.

Mr. Chandra Sekhar Bag,
Mr. Sagnik Chatterjee
... For the Respondent Nos.4, 5 & 6.

Mr. Rameshwar Sinha,
Ms. Debanjana Sen ... For the Respondent No.7.

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.
A copy of the report be handed over to the learned
advocates appearing for the petitioner, respondent
nos. 4 to 6 and respondent no.7.

The petitioners are aggrieved by the fact that
in spite of informing the police authorities, no
action has been taken by the Officer-in-Charge,
Survey Park Police Station.

State has submitted a report which reflects
that the dispute and difference between the
petitioners and the private respondents are relating
to a garage in issue.

The petitioners have claimed that they have
paid the money. On the other hand, the respondent

nos. 4 to 6 claims that the cheque has been dishonoured.

Learned advocate appearing for the respondent no.7 submits that the respondent no.7 is in possession of the garage which is the subject-matter of the case.

In view of nature of the issue which is being canvassed before this Court and the complaint which has been filed before the Officer-in-Charge, Survey Park Police Station, I direct the petitioners to approach the jurisdictional court under the relevant provisions of law. Learned Magistrate having jurisdiction of Survey Park Police Station will call for a report from the concerned police station and by application of mind will pass necessary directions.

Needless to state that this Court has not directed the learned Magistrate to act in a particular manner, but the learned Magistrate would exercise his own discretion while passing any order.

With the aforesaid observations, the writ petition being WPA 17659 of 2024 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.)