

10
06.08.2025
Ct. No. 11
rrc

WPA (H) 61 of 2025

(Gahor Ali Mondal Vs. The State of West
Bengal & Ors.)

Mr. Partha Chakraborty
Mr. Mohammad Obaid
Mr. ARghya Mullick

..... For the petitioner

Mr. Amitabrata Roy, Ld. Govt. Pldr.
Mr. Sudipta Panda
Mr. Shibasish Banerjee

..... For the State respondents

As prayed for, leave is granted to the learned advocate-on-record of the petitioner to make necessary correction in the prayer portion of the writ petition.

Affidavit-of-service, as filed, be kept on record.

Mr. Obaid, learned advocate appearing for the petitioner submits that the petitioner's daughter, namely, Bilkis Khatun (in short, Bilkis), who is presently aged about 25 years, went missing on and from 26th June, 2025. The fact was intimated to the police authorities, but no steps were taken and her daughter has yet not been recovered. Aggrieved thereby, the petitioner has approached this Court.

Mr. Obaid further submits that the petitioner has lodged a further complaint on 5th August, 2025 before the respondent no. 5, but even thereafter appropriate steps have not been taken.

Mr. Panda, learned advocate appearing for the State respondents submits that upon being intimated, a missing diary was lodged and all appropriate steps were taken. But in spite of best endeavour of the authorities, the petitioner's daughter could not be recovered, till date.

Mr. Panda, however, submits that in the event any further complaint has been lodged, appropriate steps would be taken by the police authorities.

It appears that the petitioner's daughter is 25 years old. In the writ petition itself, a letter issued by Bilkis has been annexed, however, the petitioner herein disputes the authenticity of the said letter.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

A writ in the nature of *habeas corpus* is a prerogative writ by virtue of which the causes and validity of detention of a person are investigated by a summary procedure. It appears that the petitioner's daughter is major. This Court, in exercise of its jurisdiction, however, cannot usurp ordinary administration of criminal justice.

In the said conspectus, we are afraid that the exercise of power of writ in the nature of *habeas corpus* would perhaps not be feasible in the facts and circumstances of this case.

With the above observations the writ petition being WPA (H) 61 of 2025 is, accordingly, disposed of.

There shall, however, be no order as to costs.

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

(Reetobroto Kumar Mitra, J.) (Tapabrata Chakraborty, J.)