

11-08-2025
Item No.18
Subrata
Bhattacharyya
AR(C)

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
Appellate Side

WPA No.19699 of 2024
Bithi Marik & Ors.

-vs-
The State of West Bengal & Ors.

Mr. Gazi Faruque Hossain
Ms. Varsha Roy ...for the petitioners

Mr. Soumitra Bandyopadhyay, sr. govt. adv.
Ms. Suchana Banerjee ...for the State

1. The petitioners are aggrieved by a communication made by the District Registrar, South 24 Parganas on June 13, 2022 requesting the Inspector General of Registration and Commissioner of Stamp Revenue, West Bengal to stop the alienation/sale of properties held by the petitioners and four others including their families.
2. Learned counsel representing the State submits that the said notice was issued pursuant to a direction passed by the Superintendent of Post Office, Baruipur Division saying that the petitioners have been found to be involved with misappropriation of office cash amounting to rupees one crore during remittance of office cash from Baruipur Head Post Office to State Bank of India, Baruipur Branch. The order requesting stay of alienation/sale of the petitioners and their families' properties had to be passed for recovery of the Government loss. The department of posts incurred huge loss because of the fraud

committed by the petitioners.

3. The petitioners admit that the proceeding for misappropriation of fund is still pending consideration. A criminal case being Baruipur PS Case No.732 of 2022 dated April 26, 2022 under Section 409 IPC is also pending consideration. Under such circumstances, the impugned order appears to have been passed.
4. The Court is not inclined to interfere with the same. It will be open for the petitioners to approach the competent forum for relief in accordance with law, if so advised.
5. The writ petition stands disposed of.
6. All parties are to act on the server copy of this order duly downloaded from the official website of this Court.
7. Certified copy of this order, if applied for, shall be made available to the parties.

[Amrita Sinha, J]

