

D/L 16
28.01.2025
Bpg.
ct.no.35

W.P.A.19957 of 2024

**Haraprasad Halder & Ors.
Versus
The State of West Bengal & Ors.**

Mr. Sudip Ghosh
Mr. Pankaj Halder
Mr. Bidish Ghosh.
...for the petitioners.

Mr. Lalit Mohan Mahata
Mr. Prasanta Behari Mahata.
...for the State-respondents.

Mr. Shahan Shah
Mr. Soumen Barman.
...for the respondent nos.6 and 8.

Mr. Rezaul Alam
Mr. Shibjit Mitra.
...for the respondent no.7.

Mr. Manoranjan Jana
Ms. Mitali Jana.
...for the respondent no.9.

Supplementary affidavit filed by the
petitioners be kept with the record.

Petitioners approached this Court being
aggrieved by the information furnished with the police
authorities yielding no result. The grievance of the
petitioners is in respect of the transfer of the property
behind their back on the basis of forged and fake
documents.

Learned advocate for the State has submitted
a report. Report reflects that Mandir Bazar P.S. Case

No.352 of 2024 dated 07.08.2024 has been registered under Sections 420/465/467/468/471/120B of the Indian Penal Code.

Learned advocate for the respondent nos.6 & 8, respondent no.7 and respondent no.9 is present. All of them oppose the contentions advanced on behalf of the petitioners regarding the accusations made in the information and the subsequent registration of the FIR.

Petitioners are further aggrieved by the fact that the transfer has taken place because of dereliction of duty on behalf of certain public servants as on the fact of it the same would be available from the records.

The investigation process has commenced. The Investigating Officer would oversee regarding the involvement of any public servants as to whether there was any criminal misconduct and investigate the case by exhausting the process of law. Needless to state that there may be circumstances where opinion of experts particularly QDEB, CID, Bhawani Bhawan, West Bengal may be required for assessment regarding the genuinity of the signatures of the deed. If such a prayer is advanced before the concerned authorities, the authorities would take immediate steps for ascertaining regarding the genuinity of the

signatures as well as the contents of the deed concerned.

In view of the complexity in the investigation, I direct that a Superior Officer of the Police in the rank of Additional S.P/SDPO would monitor the case so that the Investigating Officer can effectively investigate and take the investigation to its logical conclusion.

So far as the other prayer is concerned, petitioners would be at liberty to canvass the issues before the court having jurisdiction.

With the aforesaid observations, WPA 19957 of 2024 is disposed of.

There will be no order as to costs.

Report submitted by the State be kept with the record.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)