

09.09.2025
Court No.35.
D.L.33
(pp)

WPA 20088 of 2025

Samir Kumar Singha & Anr.

-Vs.-

The State of West Bengal & Ors.

Mr. Narayan Debnath,
Ms. Bishalaxmi Ghosh,
Ms. Tanim Debnath,
Ms. Taniya Chakraborty,
Mr. Md. Nesab Sarkar

...for the petitioners.

Mr. Vivekananda Bose,
Ms. Deboleena Ghosh

....for the State.

Ms. Rupal Singh,
Mr. Ashok Kumar

....for the respondent no.3.

Mr. Aritra Shankar Ray,
Mr. Abhisek Mandal

....for the respondent no.7.

1. Learned advocate appearing for the State has submitted a report as was directed earlier.
2. Report reflects that Jadavpur P. S. Case No.231/2024 dated 17.12.2024 has been registered for investigation. Police Authority has issued notice under Section 91 Cr.P.C./Section 94 BNSS. Notices have been served under Section 35(3) of the BNSS. The investigation of the case is in progress.

3. The petitioners' present grievance is that peaceful enjoyment of the property of the petitioners is being disturbed at the behest of the previous owner who had taken loan and the agents and/or authorized officer of the Assets Reconstruction Company (India) Limited.

4. In view of the criminal case already pending and the jurisdictional criminal court already been *in seisin* of the criminal proceedings, the petitioners would be at liberty to approach the concerned court *in seisin* of Jadavpur P. S. Case No.231/2024.

5. Learned Magistrate would assess regarding the genuinity of the grievance advanced by the petitioners and address the issues within framework of law.

6. With the aforesaid observations, WPA 20088 of 2025 is disposed of.

7. Report so submitted be kept with the record.

8. Copy of the report be handed over to the learned advocate for the petitioners.

9. Urgent Photostat certified copy of this order may be supplied to the parties upon all formalities, if applied for.

(Tirthankar Ghosh, J.)