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16.12.2025
Ct. No.5
b.das

WPA 22079 of 2025

Oscar Mayne
Vs.
The State of W. B. & Ors.

Mr. Abdul Hamid Molla
Md. Abdul Halim
Mr. Sahil Hamid
Mr. Biswadeep Dey ...for the petitioner.

Mr. Jyoti Prakash Chatterjee ...for the State.

Affidavit of service filed by the petitioner is taken on record.

None appears for the respondent despite service.

Mr. Jyoti Prakash Chatterjee who usually appears for the State and is present in Court, is requested to represent the State in the matter. His appointment be regularized by the appropriate authority.

The petitioner is directed to serve copy of the writ petition along with annexure thereto upon Mr. Chatterjee in course of this day.

The petitioner seeks registration of FIR pursuant to the complaint lodged by him before the police authority on 1st September, 2025.

In view of the law laid down by the Hon'ble the Supreme Court in the authority in Aleque Padamsee vs. Union of India reported in (2007) 6 SCC 171 the petitioner

is at liberty to approach the jurisdictional Magistrate under Section 175(3) of the BNSS for redressal of his grievance.

The writ petition is disposed of accordingly.

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

Since no affidavit is invited, the allegations contained in the writ petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)