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jdt. 28.10.2025
jb.

WPA 23630 of 2025
(Gour Bhadury vs. State of West Bengal & Ors.)

Mr. Debapriya Majumder
.... **For the Petitioner**
Mr. Vimal Kr. Shahi
Mr. Krishna Deodas
.... **For the State**
Mr. Yashraj Roy
Ms. Banhisikha Moitra
Ms. Sangeeta Singh
.... **For the Private Respondent**

Heard learned counsels for the parties.

The petitioner alleges that an agreement for sale was executed between the petitioner and the private respondent on 18th September, 1998 with regard to the shop room in question upon the petitioner paying Rs.47,000/- out of the entire consideration money of Rs. 50,000/-. Possession of the shop room was handed over to him. He was running a STD booth in the said shop room. When the petitioner was away from the shop for some time the machinery in the shop room was stolen and a wall constructed on the inner side of the shop room after the outer shutter. The petitioner lodged a complaint before the police authority which has been registered as FIR and investigation initiated.

Per contra, learned counsel for the private respondent submits that the alleged agreement for sale is a forged document and a civil suit has been filed by the private respondent against the petitioner seeking declaration of her right, title and interest in respect of the shop room in question. According to the private respondent, she purchased the shop room in 2018 and the question of

execution of the deed of agreement in 1998 does not arise. The petitioner has suppressed pendency of the civil suit.

Learned counsel for the State speaks in tune with the report submitted by the State.

I have considered the rival submission of the parties.

There is a civil suit being title suit no. 702 of 2024 between the parties with regard to the suit shop room which needs to be adjudicated by the civil Court. The allegation of theft made by the petitioner has been taken care of by the police authority in registering the FIR and starting investigation which is continuing. The police authority is directed to conduct proper and effective investigation in order to arrive at a definite conclusion regarding the allegations made by the petitioner.

With the above observation and direction, the writ petition is disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)