

IN THE HIGH COURT AT CALCUTTA

CONSTITUTIONAL WRIT JURISDICTION

(APPELLATE SIDE)

WPA 10076 of 2026

Azad Khan

-Versus -

The State of West Bengal & Others

Md. Jamaluddin Ahmed

.....for the petitioner

- 1) Matter is taken up for consideration in presence of learned advocate representing the petitioner. However, respondents are not represented.
- 2) By presenting this writ petition, petitioner has prayed for direction upon the concerned police authority to take steps which would facilitate the petitioner to run his transportation business.
- 3) However on perusal of averments made in writ petition and on hearing learned advocate representing the petitioner, it appears that petitioner defaulted in payment of Equal Monthly Installments (for short, "EMI") in terms of hire purchase agreement. Apprehending steps to be taken by the bank authority petitioner has moved this writ petition seeking direction upon the concerned police authority which would prevent bank authority to take steps in terms of hire purchase agreement. If petitioner is aggrieved by action of the bank authority, in that event petitioner is

required to take steps in terms of conditions of the hire purchase agreement. By issuing mandamus right of the petitioner to utilize vehicle connected to hire purchase agreement ought not to be delved into when he fails to pay EMI in terms of hire purchase agreement.

4) In view of aforesaid, no relief can be granted to the petitioner.

5) Writ petition stands dismissed.

6) Petitioner shall be at liberty to approach appropriate forum for remedy.

7) Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertaking.

(Saugata Bhattacharyya, J.)