

**In The High Court at Calcutta**

CONSTITUTIONAL WRIT JURISDICTION  
(Appellate Side)

W.P.A. 10507 OF 2026

RAMESH GAYEN AND ANOTHER  
VS.  
THE STATE OF WEST BENGAL AND OTHERS

.....

Mr. Mrinal Kanti Sardar, Adv.  
Ms. Aparna Mondal, Adv.

...for the Petitioner

Mr. Pronojit Roy, Adv.  
Mr. Arindam Bit, Adv.

...for the Respondent Nos.6-12

1. Affidavit-of-service filed on behalf of the petitioners is taken on record.
2. Matter is heard in presence of the learned advocates representing the petitioners and respondent nos.6 to 12.
3. On hearing the learned advocates representing the parties, it appears that petitioners are aggrieved by inaction on the part of the concerned police authority in registering a case based on the complaint lodged.
4. In other words, petitioners have prayed for direction upon the concerned police authority to register FIR based on the complaint.
5. There is an alternative remedy available to the petitioners to approach the jurisdictional Magistrate under Section 175 (3) of Bharatiya Nagarik Suraksha Sanhita, 2023. In this regard, reliance is placed on the judgment of the Hon'ble Supreme Court reported in *(2007) 6 SCC 171 (Aleque Padamsee and others vs. Union of India and others)*.
6. In view of availability of alternative remedy, present writ petition is not entertained.
7. Hence, writ petition stands dismissed.

8. However, this order shall not preclude the petitioners to approach the jurisdictional Magistrate in pursuit of remedy.
9. Parties to act on the server copy of this order duly downloaded from the official website of this court.

**(SAUGATA BHATTACHARYYA, J.)**