

February 9, 2026
(9) ARDR

WPA 10050 of 2025

Sampa Saha & anr.
Vs.
The State of West Bengal & ors.

Adv. Dilip Kumar Maiti,
Adv. Uttam Kumar Kamila,
... for the petitioner.
Adv. Suvadeep Sen,
Adv. Debasish Ghose,
...for the respondent nos. 6 & 7.
Adv. Subhajit Chowdhury,
...for the State.

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

Learned counsel for the petitioner submits that the petitioners and the private respondents are business partners and have been running a bakery business in the name of Swarna Food Products and an oil mill in the name of Swarna Oil Mill. After the demise of the original partners, the private respondent who are heirs of the deceased partner Ram Chandra Saha have taken control of both the businesses and are depriving the petitioners of participating in the same or enjoying the profits therefrom. The petitioners lodged a complaint before the police authority which has not been acted upon.

It appears from the report submitted by the State and is also submitted on behalf of the private respondents that the 6th respondent has filed two title suits against the petitioners and others seeking dissolution of the partnership wherein by an order of ad interim injunction, the 1st petitioner has been restrained from transferring the

capital and/or siphoning the funds of both the businesses and also from shifting any books of accounts of the businesses and causing any disturbance in peaceful participation of the 6th respondent in running the businesses.

The dispute between the parties is subjudice before the civil Court. The petitioners are at liberty to ventilate their grievance in the said suits.

Since the petitioners allege that the complaint lodged by them has not been taken care of, they are at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of their grievance.

In the meantime, the police authority is directed to keep vigil in the area in order to avoid any untoward incident and to ensure maintenance of peace and tranquility.

No fruitful purpose shall be served in keeping the writ petition pending. The same is accordingly disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the 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.)