AD 9
07.10.2026
Ct. No. 758
SG

WPA 23407 of 2024

Monimoy Biswas
vs.
The State of West Bengal and others

Mr. Ayan Kumar Boral
...for the petitioner

Mr. Arkaprava Sen, Sr. Adv.
Ms. Megha Sarkar
... for the State

Mr. Dhiraj Kumar Trivedi, ld. ASGI
Mr. Arijit Majumdar
... for the Union of India

1. The grievance of the petitioner is that the respondent Nos.6 to 8 are not the citizens of India, but are enjoying all benefits according to the citizens of this country.
2. The petitioner submits that the respondent Nos.6 to 8 are his neighbours and are Bangladeshi citizens. The petitioner has relied upon a letter dated 09.10.2017 issued by the Regional Passport Office, Kolkata to the respondent No.6 wherefrom it appears that in course of processing the application for issuance of passport to the respondent No.6, the proof of citizenship of India 'was not clear.' Relying upon the aforesaid communication between the Regional Passport

Officer and the respondent No.6, the petitioner has proceeded to lodge series of complaints to the District Magistrate, Krishnagar and the SDO, Ranaghat to look into the matter.

3. In the aforesaid circumstances, the petitioner filed the instant writ petition praying for a writ in the nature of mandamus directing the respondent authorities to forthwith draw the charge-sheet against the respondent Nos.6 to 8.
4. In the orders of this Court, the Union of India was made a party to the present proceeding.
5. The State and the Union of India are represented.
6. The State has submitted a report on 26.09.2024 wherefrom it appears that local police station had investigated into the matter and had obtained the identity proofs being copies of the voter card, the voter list, the aadhaar card and the ration card of the respondent Nos.6 to 8. The report further reveals that the report submitted by the SPIO, Ranaghat, Nadia stating that the respondent Nos.6 to 8 have already been enrolled as electors.
7. The State submits that the writ petition is motivated to harass the respondent Nos.6 to 8.
8. The respondent Nos.6 to 8 are not represented.
9. The State has also placed on record copies of the identity proofs of the said respondents.
10. Upon query by the Court as to whether any complaint was lodged with local police station,

learned counsel for the petitioner submits that no such complaint was lodged.

11. In such view of the matter, the question of issuance of writ of mandamus directing the police to submit charge-sheet is privilege and misconceived. The petitioner has not been able to place any material before this Court for directing the respondent authorities to take steps against the said respondents. The writ petition appears to be misconceived and without any basis.

12. Accordingly, WPA 23407 of 2024 is dismissed on the basis of averments made therein and the documents produced before this Court.

13. It is clarified that the Court has not gone into the question of the citizenship of the said respondents.

14. There shall be no order as to costs.

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

(Anuj Singh, J.)