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jdt. 07.01.2026
jb.

WPA 24913 of 2025
(Vinay Jindal vs. State of West Bengal & Ors.)

Ms. Poulami Dutta
.... For the Petitioner
Mr. Vivekanda Bose
Mr. Tirthankar Dey
.... For the State
Md. Sabir Ahmed
Mr. Swagata Biswas
Mr. Avinash Mishra
.... For the Respondent no. 6

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 petitioner purchased the property in question from the private respondents and paid 95% of the consideration amount despite which the property has not been handed over to him. Moreover, the private respondents are trying to alienate the property in favour of a third person.

Learned counsel for the 6th respondent submits that the 6th respondent has resigned from the company in 2023. The company has been taken over by another company in 2025.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner, Manicktala P.S.. Case no 86 dated 16th August, 2025 has been registered and investigation is in progress. Investigation has revealed that the 6th respondent has resigned from the company being M/S Shiv Mahima Developers Private Limited on 19th July, 2024 and the complaint lodged by the petitioner before the West Bengal Real Estate Regulatory Authority against the company and its directors is pending. The

petitioner has primarily sought a direction upon the private respondents restraining them from selling, transferring or conveying the said property to any third party. Such prayer cannot be entertained by this Court in exercising jurisdiction under Article 226 of the Constitution of India. This Court is informed that the petitioner filed a title suit against the private respondents seeking appropriate relief which is pending.

Since investigation is in progress, the investigating officer is directed to conduct a fair and impartial investigation and take the same to its logical conclusion in accordance with law.

No fruitful purpose shall be served by keeping the writ petition pending.

The writ petition is accordingly 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.)