08.10.2026

DL/124
Ct. No. 758

Mujahid,
A.R.(Ct.)

In the High Court at Calcutta

Constitutional Writ Jurisdiction

Appellate Side

Case No.

WPA 27684 of 2025

In the matter of :

Nowda Thana Ferry Services Cooperative Society Ltd. & Anr.

... Petitioners

VS.

The State of West Bengal & Ors.

... Respondents

For the petitioners :

Mr. Jyanta Narayan Cahtterjee
Ms. Moumita Pandit
Ms. Ritushree Banerjee
Mr. Sidhartha Roy
Mr. S. Dey

... Advocate

For the Nowda Panchayat Samity :

Mr. Amitava Choudhuri
Mr. N. Roy

... Advocate

1. The petitioners claim to be in the business of operation and maintenance of ferry service across multiple ferry ghats in Murshidabad district. It is submitted that on 28th January, 2025, the respondent no.5 issued a notice stating that the charge of ferry services under the jurisdiction of Nowda Panchayat Samity, i.e. the respondent no.6 have already been handed over to the authority of Nowda Panchayat Samity on 31st October, 2025.

2. The petitioners' grievance is that the petitioners could not remove its materials from the ferry service establishment from about 13 ferry ghats. The petitioners are aggrieved by the entire

exercise, the private respondent nos.7 and 8, who are now in possession of the ferry ghats have allegedly, dishonestly misappropriated the petitioners material lying at the ghat. The petitioners have lodged a complaint to the Officer-in-Charge of Nowda Police Station dated 18th March, 2025 along with another complaint with the SP Murshidabad district, disclosing commission of cognizable offences, but no steps have been taken in the matter. The petitioners are, therefore, aggrieved by such inaction on the part of the police and have prayed for an order upon the police authorities to register an FIR and investigate into the matter.

3. Learned Advocate for the respondent no.5 appears and disputes the contentions of the petitioners and submits that the allegations made by the petitioners are false.

4. The private respondents are not represented.

5. Without going into the merits of the allegations made by the petitioners, the instant writ petition is disposed of by granting liberty to the petitioners to approach the learned Judicial Magistrate with appropriate application for registration of the FIR.

6. This view is fortified by the judgments of the Hon'ble Apex Court in (2026) 2 SCC 622 (Om Prakash Ambadkar v. State of Maharashtra) and

2025 SCC OnLine CAL 9425 (Sourav Mitra v. Swati Chakraborty)

7. It is clarified that this court has not gone into the merits of the allegations made by the petitioners.

8. With regard to the prayer of the petitioners directing the respondent/police authorities to maintain the law and order at the said ferry ghats, it is the concerned police station being the Officer-in-Charge of Nowda Police Station is directed to ensure that no disturbance is created at the said locale at the instance of the private respondents. If any complaint is made by the petitioners to the concerned police station the same shall be looked into by the concerned police authorities.

9. It is clarified that this Court has not gone into the merits of the allegations made by the petitioner.

10. WPA 27684 of 2025 is disposed of on the above observations.

11. There will be no order as to costs.

12. All parties shall act on the basis of server copy of this order duly downloaded from the official website of this Court.

13. Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all necessary formalities.

(Anuj Singh, J.)