

24.02.2026.
Item No. 07
Court No.05
BR

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE

W.P.A. 162 of 2026

Samir Chandra Das

-vs-

The State of West Bengal and Ors.

Mr. S.Mitra,
Mr. Sounak Ghosh
... For the petitioner

Mr. H.Barman
Mrs. Kanika Saha Sarkar

...For the State

Mr. Amales Ray, Sr. Adv.,
Mr. N. Mittal,
Ms. A.Chhetri

... for the respondent no. 5

1. The writ application has been preferred praying for directing respondent no. 4 to register FIR forthwith under appropriate provisions of BNS on the basis of complaints dated 9.1.2026 and 27.1.2026 and to conduct investigation strictly in accordance with BNSS and commanding respondent nos. 2 and 3 to personally supervise the investigation and submit a compliance report before this Hon'ble Court.
2. Learned counsel appearing for the petitioner relies upon the judgment of the Hon'ble Supreme Court in **Harbanslal Sahnia and anr. -vs- Indian Oil Corporation Ltd. and Ors., reported in AIR 2003 SC 2120.**
3. On hearing the learned counsel for the parties, this Court finds that the said judgment relied upon relates to exercise of alternative remedy but in the present case the judgment is not applicable

considering that the specific provisions for relief claimed by the petitioner herein is provided under appropriate procedural laws and in the present case it is not a question of alternative remedy because the provisions under which the grievance of the petitioner can be addressed is entirely different.

4. The writ application is, thus, not maintainable and dismissed.
5. Petitioner is at liberty to take necessary steps to address his grievance under the appropriate provisions of law.
6. Urgent Photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)