

29.02.2024
Item No.07
RP
Ct. No.1

WPA(P) 49 of 2024

**Mamata Biswas & Ors.
Vs.
The State of West Bengal & Ors.**

Mr. Tanmay Basu
Ms. Aparajita Mitra
.....for the Petitioners
Mr. T.M. Siddiqui
Ms. Amrita Panja Moulick
.....for State
Md. Bahruzzaman
.....for Respondent No.7 & 8

1. By filing this public interest litigation the petitioners allege that the respondent nos.7 and 8 have committed a large-scale fraud in the manner in which the particular society had conducted its affairs and in that regard a representation was submitted to take immediate action. Since the representation has not been considered the petitioners have filed this writ petition.
2. Learned Government Counsel submitted that based on the written complaint received from the writ petitioners on 24.01.2024 Nabadwip PS Case No.54 of 2024 dated 24.01.2024 under section 420/406/34 of the Indian Penal Code has started against several persons which included the respondents no.7 & 8 for the alleged offences and the case is under investigation.
3. Learned advocate for the respondents no.7 & 8 submitted that two of the writ petitioners, namely, Pintu Ghosh and Palash Ghosh have availed loan from the said society and they are defaulters and in respect of Palash Ghosh an award has been passed on 25.5.2023 for recovery of a total sum of Rs.3,93,450/- and the said award was communicated to the address which is given in this writ petition in

the affidavit portion by Palash Ghosh and the communication had returned to the sender with the endorsement that the said Palash Ghosh does not reside in the said premises. Furthermore, the said Palash Ghosh has given a letter to the Branch Manager of the said samity the he is residing in a village named Brahmanagar and, therefore, the address given in the affidavit filed in this writ petition is false address.

4. Be that as it may, since already a case has already been registered by the police and investigation has commenced we direct the concern police authority to conduct a thorough investigation in Nabadwip PS Case No.54 of 2024 and bring to book those persons who have committed illegality. The respondent nos.5 and 6 shall also call for the records from the society and examine as to the correctness of the transactions and recruitment which have been taken place and proceed to take action in accordance with law.
5. With the above direction, this writ petition is disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)