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WPA 6555 of 2023

Harish Chandra Gain & Ors.  
Vs  
The State of West Bengal & Ors.

Mr. Pabitra Charan Bhattacharjee,  
Mr. Chandan Kumar Lal  
... For the Petitioners.

Mr. Pradip Kumar Roy,  
Mr. Prabir Kumar Ray,  
Mr. Joydeep Roy  
... For the State.

Mr. Subrata Kumar Basu,  
Mr. Sounak Sen  
... For the Respondent Nos. 3 & 4.

Ms. Senjuti Sengupta,  
Mr. Rananeesh Guha Thakurta,  
Ms. Dipa Roy  
... For the Respondent Nos. 5 & 6.

Mr. Arnab Ray  
... For the Respondent Nos. 7 & 8.

Heard learned Advocates appearing for the respective parties.

It appears from the cause title of the writ petition that this writ petition has been filed by 19 petitioners on 23.03.2023, claiming to be the members of the Co-operative Society in question by executing proper Vokatnama in favour of the learned Advocate Mr. Pabitra Charan Bhattacharjee to file this writ petition.

This writ petition has been affirmed by one Harish Chandra Gain who is the writ petitioner No.1 affirming the affidavit to the writ petition by making the statement that he has been duly authorised by all other 18 petitioners. Mr. Subrata Kumar Basu, learned Advocate representing the Co-operative Society

concerned/ the respondents Nos. 3 and 4 has drawn the attention of this court by placing a document (death certificate issued by the Sub-Registrar (Birth & Death), Grama Panchayat Mohanpur showing that the writ petitioner No.17 has already expired on 5<sup>th</sup> February, 2021, and he submits that this writ petition has been affirmed and filed in the name of a dead person being petitioner No.17, by forging his signature in the Vokalatnama. He also submits that out of other 18 petitioners, eight petitioners have not authorised the petitioner No.1 to file this writ petition and affirmed on their behalf.

This is a serious criminal offence committed before this High Court by filing this fake writ petition in the name of those persons by forging their signatures who have not authorised the petitioner No.1 to file this writ petition on their behalf. Learned Advocate representing the respondent Nos. 3 and 4 on the basis of materials before him submits that at least eight of those petitioners have specifically declared before him that they even do not know that this writ petition has been filed in their names.

Taking note of such serious criminal act committed in court, by the petitioner No.1 and may be any other person also along with him, Additional Director General of Police, CID, West Bengal is directed to

initiate appropriate criminal proceedings and hold a full-fledged investigation against all those persons who are involved in such criminal offence committed in court and to take suitable action and he shall file such investigation report in court on 12<sup>th</sup> April, 2023 and also as to the action taken. Such investigation shall be conducted under his supervision.

List this matter on 12<sup>th</sup> April, 2023 under the heading "For Orders".

Learned Registrar General, High Court, Calcutta, shall immediately communicate this order along with a copy of the writ petition to the Additional Director General of Police, CID, West Bengal.

**( Md. Nizamuddin, J. )**