

Court No. 17

WPA 5406 of 2022

**19.05.2022**

Babita Sarkar

(SL 2)

Vs.

The State of West Bengal & Ors.

(at 3 p.m.)

(S. Banerjee)

Mr. Bikash Ranjan Bhattacharya, Sr. Advocate

Mr. Firdous Samim

Ms. Gopa Biswas

Ms. Mousumi Hazra

Mr. Aritra Bhattacharya

... for petitioner

Mr. Bhaskar Prasad Vaisya

Mr. Arindam Chattopadhyay

... for the State

Mr. Billwadal Bhattacharya

Mr. Samrat Goswami

... for CBI

Mr. Kishore Dutta, Sr. Advocate

Dr. Sutanu Kumar Patra

Ms. Supriya Dubey

... for SSC

Ms. Koyeli Bhattacharya

... for WBBSE

Mr. Biswaroop Bhattacharya

... for the added respondent, Mr. Adhikary

Mr. Paresh Chandra Adhikary is not being able to attend CBI office today at 3 p.m. as, according to his learned advocate, he is flying to Kolkata through Spice Jet flight no. SJ 3230 which will reach Kolkata today at 18:30 hours.

I direct the Commissioner of Police of Bidhannagar Police Commissionerate to get in touch

with the appropriate authority immediately so that as soon as Mr. Adhikary comes out from the flight he can be taken by the police authority of Bidhannagar Police Commissionerate to the CBI office directly. If Mr. Adhikary is not found in the said flight which will start from Bagdogra at 17:00 hours, it will be treated as a hoax created to save himself from the court and from the CBI. In that case, the matter will be dealt with properly.

I direct the learned advocate of the said Mr. Paresh Chandra Adhikary to communicate him immediately by whatever means acceptable before this court, be it through Whatsapp or be it through email intimating him that the police authority of Bidhannagar Police Commissionerate will be waiting for him in Dumdum Airport to take him to CBI office at Nizam Palace directly from the Airport.

I also direct the petitioner to communicate this order to Mr. Paresh Chandra Adhikary immediately.

The application filed by the petitioner has not yet been regularised.

Learned advocate for the petitioner, Mr. Firdous Samim, submits that his client is out of station who has started from Darjeeling yesterday. She has taken a change of vehicle in Malda and it is expected that by 12 noon tomorrow the application will be regularised.

Regarding paragraph 2 of the said application, learned Senior Advocate Mr. Kishore Dutta, has submitted that elaborate affidavit in respect of the statements made therein has to be filed by the persons as the Commission has a right to know on the basis of which such allegations have been made which, according to Mr. Dutta, are wholly baseless and untrue.

Such affidavit is to be filed by the parties by one week after vacation. I specify the date – such affidavit is to be filed by 14<sup>th</sup> June, 2022 when this matter will appear in the list under the heading ‘To be mentioned’.

List this matter tomorrow at 10:30 a.m.

**(Abhijit Gangopadhyay, J.)**