

g.b.
U/L

15.09.
2023
Ct. No.17

**WPA 2103 of 2022
With
CAN 1 of 2023**

**Kalpana Das Sarkar & Ors.
Vs
The State of W. B. & Ors.**

**Mr. Pretom Das
.....For the State**

On mentioning the recalling application (CAN 1 of 2023) is taken up today.

CID has filed the recalling application. I do not know why. This shows that none of the papers and documents relating to investigation by CID has been handed over to CBI and ED. CID is playing with the court. The application has been affirmed by one officer of CID. Why CID is so much interested is not handing over the investigation to CBI and ED? Is CID apprehensive of something that will come to light which was guarded by CID from public gaze? CID has no business in filing such an application.

On a reading the application being CAN 1 of 2023 and the order dated 24.08.23 passed in WPA 2103 of 2022, I find that there is no ground for recalling of the order and this is absolutely a frivolous application.

I direct the CBI and ED to start the investigation by three days from date if not done

already and I direct the CID to hand over all papers and documents to CBI and ED by 18th September, 2023.

The writ application and CAN 1 of 2023 are treated as on day's list.

The application being CAN 1 of 2023 is dismissed with a cost of Rs. 5,00,000/- (Five Lakh) to be paid by CID West Bengal to High Court Legal Service Authority by 22.09.2023.

The writ application being WPA 2103 of 2022 was marked "heard-in-part" while I heard the application (Writ) sitting in Jalpaiguri Circuit Bench.

The matter is to be listed on 18th September, 2023 under the heading "To Be Mentioned" for further order when it will be taken up at 3.00 p.m.

The plain copy of the application being CAN 1 of 2023 in WPA 2103 of 2022 is kept on record.

The order is to be communicated to CBI and ED of this region in course of the day by the Registrar General of this Court.

(Abhijit Gangopadhyay, J.)

