

21.09.2020.  
Item no. 17.  
Court No.13  
ap

**W.P.A. No. 6600 of 2020**  
**With**  
**CAN 1 of 2020 [Old No. CAN 5415 of 2020]**  
**(Through Video Conference)**

**Smritirekha Ojha**  
**Versus**  
**The State of West Bengal & Ors.**

Mr. Arun Goswami,  
Mr. Bratin Kumar Dey.

...For the petitioner.

Mr. Suman Sengupta,  
Mr. S. Panja.

...For the State.

Mr. Avishek Guha.

...For the private respondents.

Considering the urgency pleaded by the petitioner in CAN 5415 of 2020, the instant writ petition is taken up for hearing via video conference.

Accordingly, the application being CAN 5415 of 2020 is disposed of.

The petitioner is the widow who complains that she has been tortured by her daughters the respondent nos.4 to 8.

There are civil proceedings pending in the nature of partition suit being Title Suit No. 799 of 2019 before the learned 1<sup>st</sup> Civil Judge (Junior Division) at Barasat and P.L.A. No. 19 of 2019 before this Court between the parties.

The acrimony appears to have arisen with regard to the interest of the property of the deceased father of

the respondent nos.4 to 8 and husband of the petitioner.

Counsel for the State submits that proceeding under Section 107 have already been drawn up against the private respondent nos.4 to 8 and there are complaints and counter complaints between the parties.

What is clear from the submissions of the Counsel for the State is that the private respondent nos.4 to 8 do not reside in the said premises.

In view of the submissions of the learned Counsel for the State, this Court sees no reason to interfere in the matter since civil proceedings are already pending between the parties and police authorities appear to have taken appropriate steps in the matter.

In view of the aforesaid, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order on usual undertakings.

**(Rajasekhar Mantha, J.)**