

15th November,
2021
(AK)
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W.P.A 3872 of 2021

Smt. Banani Adhikary and another
Vs.
The State of West Bengal and others

Mr. Golam Mastafa
Mr. Tarasankar Samanta
Mr. Samirul Sardar

...For the petitioners.

Despite service, none appears for the respondents.

Affidavit-of-service filed in court today, be kept on record.

Learned counsel appearing for the petitioners contends that the petitioner's son, who is about 42-43 years old, has been threatening to oust the petitioners and putting the life and limbs of the petitioners at risk by issuance of regular threats.

Previously a co-ordinate Bench of this court, vide an order dated October 13, 2020 passed in WPA 7404 of 2020, had specifically directed the police authorities to ensure that no harm is caused to the life and property of the petitioner no.1.

However, it is contended by the petitioners that, subsequently, the private respondents, the son and daughter-in-law respectively of the petitioners, have been issuing further threats in nonchalant violation of the previous order of this court.

Upon considering the facts of the case and hearing learned counsel for the petitioner, it does not appear to be prudent to unnecessarily keep the matter pending merely due to the absence of the respondents.

Accordingly, WPA 3872 of 2021 is disposed of by directing the respondent no.4 to ensure that the private respondent nos.5 and 6 cannot harm the petitioners and/or take any illegal action against the petitioners in any manner whatsoever and to extend adequate police help as and when approached in that regard by the petitioners regarding such dangerous activities of the private respondents in terms of the complaint lodged by the petitioners on January 25, 2021 which is annexed at page-33 of the instant writ petition.

It is made clear that, in case of non-compliance of this order by the respondents on the basis of server copies of this order, without insisting upon certified copy of the same, it will be open to the petitioners to mention the matter in this court further for passing appropriate orders.

There will be no order as to costs.

Urgent photostat copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Sabyasachi Bhattacharyya, J.)