

04.10.2021.
Item No. 26.
Court No.13
ap

**W.P.A. No. 7836 of 2021
(Through Video Conference)**

**Smt. Joyshree Panda
Versus
The State of West Bengal & Ors.**

Mr. Debasis Kar,
Mr. Subhajit Chowdhury.

..For the petitioner.

Mr. N. C. Bihani,
Ms. Papiya Bihani (Banerjee).

...For the State.

Mr. Swapan Kumar Nandi,
Mr. Sibnarayan Chattopadhyay,
Mr. Krishna Deo Das.

..For the respondent no.4.

Officer-in-charge, Titagarh Police Station,
Barrackpore Police Commissionerate has given
instructions dated 16th September, 2021 to the learned
Government Pleader. The same is taken on record.

The writ petitioner and the private respondent
are brother and sister.

The writ petitioner has complained that her
brother has assaulted her when she came to take care
of his ailing mother.

The father of the petitioner is personally present
in Court today. He submits that he and his wife are
safe and secure and are being taken care of by their
son. It is further submitted by her father that his
daughter is demanding a share, if not the entire
property of the father.

This Court is, therefore, of the view that the writ petition is absolutely in abuse of process of law and based on false statements apart from being vexatious and harassing.

The writ petition shall stand dismissed with exemplary costs assessed at Rs.11,000/- (Rupees eleven thousand only) payable by the writ petitioner to the Chief Minister's Relief Fund.

In the event of non-payment of costs as stated hereinabove, the District Magistrate, North 24 Parganas at Barasat shall be entitled to take steps to recover the aforesaid sum from the writ petitioner under Bengal Public Demand Recovery Act, 1913.

This Court, however, notes that Mr. Subhajit Chowdhury has made a very sincere attempt to defend his clients and it appears that he was not aware of the impropriety committed by the writ petitioner.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)