

WPA 9649 of 2021

Kumudiin Majumder
Versus
The State of West Bengal & Ors.

(VIA VIDEO CONFERENCE)

Mr. Baidurya Ghosal
...for the petitioner.

Mr. Rana Mukherjee,
Mr. Subrato Ray
...for the State.

Learned advocate for the petitioner is present. Mr. Rana Mukherjee, learned advocate appears for the State Respondent. However, none appears for the private respondents.

It has been submitted by the learned advocate for the petitioner that all the respondents have been duly served and the petitioner has also complied with the directions contained in the order dated May 21, 2021. The petitioner undertakes to file the affidavit-of-service in this regard by June 1, 2021.

The petitioner claims to be a senior citizen, at present aged about 86 years. The private respondents are the son, daughters-in-law and grand son of the petitioner. The petitioner alleges that the private respondents herein have caused mental and physical torture upon the petitioner and she has been ousted from the dwelling house by the private respondent in the month of

September, 2020. The petitioner further alleges that the private respondents herein are not allowing the petitioner to enter into the dwelling house. The petitioner submitted a representation dated February 16, 2021 before various authorities including the Superintendent of Police, Ranaghat Police District.

Mr. Mukherjee, learned advocate appearing for the State files a copy of the written instruction given by the Inspector-in-Charge, Chakdah Police Station to the Government Pleader. It appears from the said written instruction that a civil suit between the petitioner and the private respondents being Title Suit No. 137 of 2020 is pending before the learned Civil Judge (Junior Division), Kalyani, Dist.-Nadia. He further submits that there is a property dispute between the petitioner herein and the private respondent.

Mr. Mukherjee also files an information slip in connection with the aforesaid title suit wherefrom it appears that an order of status quo has been passed by the civil court.

I have heard the learned advocate for the parties and perused the materials on record including written instruction filed by the state advocate and the information slip. Since a civil suit is pending between the parties and an order of status quo with regard to the property in question has been passed by the civil court, no order can be passed by this court in the instant writ

petition.

In view thereof WPA 9649 of 2021 is disposed of without any order as to costs. The written instruction filed by the state advocate and the information slip be retained with the record.

(Hiranmay Bhattacharyya, J.)