

06.08.2021

Ct. No.13

Sl. No.35

pk/akd

W.P.A. 11357 of 2021 [via video conference]

[Alka Goenka -Vs- State of West Bengal & Ors.]

Ms. Kum Kum Mukherjee

Mr. S. Das Gupta

... .. for the petitioner

Mr. Jishnu Chowdhury

Mr. Shayak Chakraborty

... .. for the State

The writ petitioner seeks access to her matrimonial home. She complains that she and her son were locked out by the husband. The petitioner submits that the husband is mentally unsound and may cause harm to himself. The petitioner is desirous of patching up with her husband.

Despite service of notice, the husband is not represented. Affidavit-of-service filed in court is taken on record.

Learned counsel appearing for the State submits that they had caused enquiries on the complaint of the petitioner and found that the husband was inside the premises and living thereat. Access was granted to the police inside the premises.

This Court sees no threat to the husband's life. Police report also indicates that the husband is not of unsound mind.

In that view of the matter, the dispute between the petitioner and her husband are purely private in nature. The petitioner may avail remedies under the matrimonial laws of the country, inter alia, the Domestic Violence Act for seeking shelter and maintenance for herself and her son.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties are to act on a server copy of this order duly downloaded from the official website of this court.

(Rajasekhar Mantha, J.)