

MAT 1171 of 2021
With
CAN 1 of 2021
Biswajit Ghosh & Anr.
Vs.
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Partha Sarathi Bhattacharyya, Sr. Advocate
Mr. Debapratim Guha
Mr. Raju Bhattacharyya
Mr. Arunava Maiti
Ms. Anchita Sarkar

... ... for the appellants

Mr. Lalit Mohan Mahata
Mr. Shamim Ul Bari

... ... for the State

Mr. A. Bhattacharjee
Mr. Subrata Guha Biswas
Mr. Amit Das
Mr. Debdip Mondal

... ... for the respondent no. 4

This appeal is at the instance of the respondent nos. 4 and 5 in the writ petition WPA 1923 of 2021 in which the order dated 04.10.2021 has been passed directing the Officer-in-Charge, Haridebpur Police Station escorting the appellants out of the house of the respondent no. 4 (writ petitioner).

The appellants are the son and daughter-in-law of the respondent no. 4. Respondent no. 4 had approached the Writ Court raising the grievance that he was compelled by the appellants to execute the gift deed of the property in their favour and was confined to the roof of the house which was only covered by the asbestos and was exposed to rain constantly.

Considering the aforesaid, the learned single Judge has passed the order dated 04.10.2021 which is the subject matter of challenge in this appeal.

Though learned Counsel for the appellants has denied the allegation made in the writ petition but he has pointed out that the order dated 04.10.2021 has been complied with. The appellants have taken a separate accommodation on rent wherein they are living.

Having regard to the fact that the appellants and the respondent no. 4 are father, son and daughter-in-law, we are of the opinion that it is a family dispute and an attempt should be made to settle it through mediation. The writ petition is still pending before the learned Single Judge. Therefore, we request the learned Single Judge to refer the parties to mediation in High Court Mediation Centre and make a sincere effort that the amicable solution is arrived at.

We make it clear that we have not entered into the merits of the controversy.

The appeal being MAT 1171 of 2021 along with CAN 1 of 2021 are accordingly disposed of.

(Prakash Shrivastava, C.J.)

(Rajarshi Bharadwaj, J.)