

03.03.2022.
Court No.13
Item No. 41
ap

**W.P.A. No. 2549 of 2022
(Through Video Conference)**

**Fatima Parvin
Versus
The State of West Bengal & Ors.**

Mr. Mohinoor Rahaman,
Ms. Maria Rahaman.

...For the petitioner.

Mr. Jishnu Chowdhury,
Mr. Amrita Lal Chatterjee.

...For the State.

Md. Younus Mondal.

...For the respondent nos.6 to 10.

The writ petitioner complains that her alleged ex-daughter-in-law is forcibly occupying a property and interfering with her peaceful residence.

It is submitted that the alleged ex-daughter-in-law has brought in her father and brother to live with her.

Counsels for the private respondents and State submit that the writ petitioner has two properties and the allegations against the alleged ex-daughter-in-law are completely baseless and a ruse to file the instant writ petition to evict the latter, contrary to the due process of law.

Having heard the learned Counsels for the respective parties, this Court is of the view that the petitioner cannot exactly claim to have been thrown out. She has been more than one residence and is living peacefully thereat. If the petitioner wishes to evict her alleged ex-daughter-in-law and family, she would

have to take out appropriate proceedings in accordance with law.

Counsel for the private respondents submits that his client is willing to take care of the petitioner and live with her peacefully. The writ petitioner may contact the Inspector-in-charge, Basirhat Police Station to accompany her back to her residence, where her alleged ex-daughter-in-law is now residing, if she so chooses.

The aforesaid order shall not prevent the writ petitioner from taking out appropriate civil proceeding for evicting her alleged ex-daughter-in-law and her family from her properties.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

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

(Rajasekhar Mantha, J.)