

14.06.2022
Sl. No.37
srm

W.P.A. No. 5380 of 2022

**Ava Adak
Versus
The State of West Bengal & Ors.**

Mr. Mrityunjoy Chatterjee
...for the Petitioner.

Mrs. Jayeeta Sinha,
Mr. Sandip Mandal
...for the State-respondents.

Mr. Jaydeep Biswas
...for the Respondent No.6.

Mr. Tulsidas Maity,
Mr. Snehasish Bala
...for the Respondent No.7.

Mr. Debapriya Majumder
...for the Respondent Nos.8 & 9.

Affidavit-of-service is taken on record.

Leave is granted to the learned Advocate for the
petitioner to correct the cause title.

The writ petition has been filed alleging inaction on the
part of the Inspector-in-Charge, Bagnan Police Station,
Howrah. The only contention of the petitioner is that the police
authorities ought to have taken steps to ensure the safety and
security of the petitioner as also peaceful possession of the
petitioner, in both her residential houses situated at Village &
Post Office-Birampur, Police Station-Bagnan, District-Howrah.

The police authorities have filed a report to indicate that a general diary was registered after the petitioner lodged a complaint with the police authorities. The police authorities have further stated that a proceeding under the Domestic Violence Act has been initiated by the petitioner. The police report is taken on record.

It is not in dispute that the petitioner is the owner of the houses. Thus, the petitioner has a right to reside in her houses peacefully. The police authorities will ensure the same.

This order shall not prejudice the proceedings which have been initiated by the petitioner.

This order shall also not empower the petitioner to cause any unnecessary harassment to the daughters-in-law, and the grand children who are residing in the premises. This order is being passed subject to any further decision by the appropriate courts of law.

The writ petition is, thus, disposed of.

There will be no order as to costs.

All parties are to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)