

14.06.2022
Court No. 19
Item no.40
CP

WPA No. 5744 of 2022

Shanti Barik
Vs.
The State of West Bengal & ors.

Mr. Kajal Ray
....for the petitioner.

Mr. Asish Kumar Guha
Mr. Naren Ghosh Dastidar
....for the State.

Mr. Tanmay Chowdhury
Ms. R. Ghosh
....for the respondent nos. 4 & 5.

Parties are claiming right, title and possession over the property situated at Mahissya Para, Choto Belu, District – Hooghly, Pin – 712223.

The petitioner is the mother of the respondent no. 4 and the mother-in-law of the respondent no. 5. According to the petitioner, the respondent nos. 4 and 5 have been torturing the petitioner which compelled the petitioner to leave her own house.

Contrary allegations have been made by the respondent nos. 4 and 5 against the petitioner. It is submitted that the allegations of the petitioner are false and frivolous. That the petitioner has been filing different proceedings before different fora with the

sole intention of depriving the respondent no. 4 of her rightful claim over the property in question.

It is alleged that the respondent no. 4 had purchased the property in the name of the mother. Thereafter, the mother had transferred the property to the respondent no. 4. The house was constructed by the respondent no. 4, upon obtaining a bank loan.

Be that as it may, this court is not the appropriate forum before which such issues shall be decided.

The petitioner is entitled to reside in the house peacefully and without any unnecessary harassment along with the respondent Nos. 4 and 5. The police authorities shall ensure the same.

The rival claims to title, possession, and other proceedings pending between the parties shall not be influenced by this order.

The writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)