

27.04.2022
Court No.13
Item No.39
AP

WPA 7504 of 2022

**Kaushalya Pandey and Anr.
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Om Narayan Rai
Mr. P. Agarwal

... For the Petitioners.

Mr. Subhabrata Datta
Mr. Subhabrata Das

... For the State.

Mr. Apalak Basu
Ms. Pritha Bhaumik
Mr. Nazir Ahmed

... For the Respondent Nos.4 & 5.

The petitioners complain that the private respondent has encroached into some portion of their hut and has destroyed a toilet. The property in question belongs to the petitioner no.1. Admittedly, the private respondent No.4 is brother-in-law of the writ petitioner No.1. The writ petitioner No.1 works as a housemaid.

The grievance of the writ petitioners is that despite a complaint to the Baguiati Police Station no steps have been taken.

Counsel for the State submits that FIR has been registered immediately after the writ petitioners' complaint was received and the private respondents have been arrested. They have since been enlarged on bail.

Counsel for the private respondents submit before this Court that they have not objected to the petitioners' returning to and living in their own premises.

In that view of the matter, the writ petitioners may return back to their residence and in the event of any obstruction from any corner, and upon receipt of any request, the Officer-in-Charge, Baguiati Police Station shall render all assistance for writ petitioners' return to and live peacefully in their residence.

The private respondents undertake before this Court not to disturb the writ petitioners in any way. Any civil rights of the parties may have against one another may be ascertained before an agitated civil forum.

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

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)