

05-04-2022
ct no. 13
Sl.10
sp

WPA 9929 of 2021
Mrs. Priyanka Chatterjee
-Versus-

The State of West Bengal & Ors.

(Via Video Conference)

Mr. Debangan Bhattacharjee,
Mr. Gautam Dinda,
Mr. Rajdeep Sinha

....for the petitioner

Mr. Lalit Mahato,
Mr. Kapil Guha

....for the State

Mr. Rohit Das,
Ms. Kishwar Rahman

...for the respondent no.7

The petitioner was admittedly living in with the estranged husband of Rashmi Jha, respondent no.7. The Officer-in-Charge, New Town Police Station has merely carried out the order of the learned Magistrate to serve notice to vacate, on the petitioner under the provisions of the Domestic Violence Act, 2005.

This Court does not wish to enter into the controversy surrounding the reasons as to why the writ petitioner has left the flat in question.

Counsel for the petitioner submits that his client was illegally thrown out of the said premises.

A complaint to this effect has been lodged with the New Town Police Station. The complaint shall be investigated. The petitioner has admittedly removed all her articles from the said premises. The petitioner claims that some of such articles belonging to her are missing.

Counsel for the respondent no.7 submits that his client did not find any articles of the petitioner in the said as claimed by the latter.

Leave is granted to the petitioner to proceed in accordance with civil and criminal law in respect of the missing articles, and her alleged eviction from the said premises. The proceedings under the D.V. Act, between the respondent no.7 and her husband, may continue in accordance with law.

With the aforesaid observations, the writ petition shall stand disposed of, without any further order.

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.)