

03.11.2022.
Court No.13
Item No. 30
ap

W.P.A. No. 8729 of 2022
Mamata Rani Samanta
Versus
The State of West Bengal & Ors.

Mr. Anindya Sundar Das,
Mr. Anindya Bose,
Ms. Avipsa Sarkar.

...For the petitioner.

Mr. Sutanu Chakraborty.

...For the State.

Affidavit-of-service filed in Court today be taken on record.

The petitioner is aggrieved that the private respondents are attempting to forcibly evict her from her property. The petitioner relies upon a Deed of Gift of the property executed by her late husband in her favour.

It appears from the records that the respondent no.6 is also a recorded owner of the said property. There is admittedly a family dispute as regards the title and ownership of the property and the petitioner does not always reside in the property and often stays with her daughter.

This Court is of the view that the remedy of the petitioner is to seek appropriate relief before the Civil Court as regards her right to the property.

Some proceedings have been drawn up by Arambagh Police Station.

It is directed that police shall maintain strict vigil thereat and ensure that there is absolutely no breach of peace in the area.

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

The instructions of the Inspector-in-charge, Arambagh Police Station, Hooghly Rural Police Station dated 17th May, 2022 addressed to the Government Pleader, High Court, Calcutta be taken on record.

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.)