

12-09-2022

ct no. 13

Sl.10

sp

WPA 17082 of 2021

Sudama Devi

-Versus-

The State of West Bengal & Ors.

Mr. Rajdeep Bhattacharya,

Mr. Debapratim Guha,

Ms. Anchita Sarkar

....for the petitioner

Mr. Uddipan Banerjee

....for the respondent nos. 6 to 9

This Court has not doubt in its mind that the senior citizen, mother, has been used as a front by the other two sons against the elder son of the private respondent.

This Court, however, notices that reports of the Phoolbagan police and the proceedings before the Executive Magistrate, Sealdah under Section 144 (2) of the Cr. P.C which indicate that the private respondent-elder son has a habit of locking the reservoir room of the house. The report of the Phoolbagan Police confirms the same.

This Court would have normally remanded the party to a Civil Court. However, in the peculiar facts and circumstances of the case, this Court directs both the petitioner as well as the private respondent not to put any lock in the reservoir room and the room containing the electricity meter.

Any lock already put, shall be removed immediately.

The Officer-in-Charge, Phoolbagan Police Station, shall ensure compliance of the aforesaid order. All parties including the petitioner shall maintain peace in the area.

The Phoolbagan Police shall also ensure that there is no breach of peace in the area.

With the aforesaid observations, the writ petition shall stand 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.)