

03.11.2022.
Court No.13
Item No. 41
pk

W.P.A. No. 17044 of 2022
Smt. Papiya Hazra (Biswas)
Versus
State of West Bengal and others

Mr. Mukteswar Maity,
Ms. Manika Sarkar

...For the petitioner.

Mrs. Sudipa Ray,
Mr. Srinath Singha Roy

...For the State.

Mr. Apurba Kumar Ghosh,
Mr. Rudranil Ghosh

... for the respondent no. 4

Two matrimonial suits were pending between the petitioner and the private respondents. One has been disposed of. Matrimonial Suit No. 1232 of 2022 is pending before the District and Sessions Judge, Barasat, North 24 Parganas.

The petitioner seeks custody of her child. The S.D.M., Barasat has ordered an enquiry as regards the whereabouts of the child. The child is supposed to be in the safe custody of the father Papai Hazra, the respondent no. 4.

It is appropriate for the petitioner to seek remedy for custody of a child in the matrimonial suit.

In those circumstances, no relief can be granted to the writ petitioner in the instant proceeding. There is no inaction on the part of the Eco Park Police Station.

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

The instructions of the Eco Park Police Station dated 19.09.2022 is 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.)