

07.09.2022.  
Court No.13  
Item No. 523  
ap

**W.P.A. No. 17107 of 2022**

**Sabitri Devi Shaw @ Sabitri Devi  
Versus  
The State of West Bengal & Ors.**

Mr. Shiv Chandra Prasad,  
Mr. Nikhil Kumar Gupta.

...For the petitioner.

Mr. Amal Kumar Sen,  
Mr. Lal Mohan Basu.

...For the State.

Mr. Arijit Sarkar.

...For the respondent no.5.

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

The petitioner is aggrieved that the private  
respondent has forcibly broken down a door which  
allows separate access for ingress and egress into the  
first floor of her property where she is residing.

Admittedly, the petitioner and the private  
respondents are the family members, who reside in  
different portions of the same premises.

As to what is the extent of the property of each  
of the family members cannot be decided either the  
Police or the Writ Court. Similarly the right to erection  
of a door and existence thereof also cannot be decided  
by the Police or the Writ Court.

The petitioner may seek appropriate remedy  
before a Civil Court.

The petitioner and the private respondent shall ensure that there is absolutely no breach of peace in the area and they shall not come into contact with each other.

The Officer-in-charge, Watgunge Police Station shall maintain a strict vigil and ensure that there is no breach of peace in the locale.

The report in the form of instructions of the Officer-in-charge, Watgunge Police Station dated 2<sup>nd</sup> August, 2022 addressed to the State Advocate be taken on record.

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

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.)***