

03.11.2022.
Court No.13
Item No. 83
pk

W.P.A. No. 18177 of 2022
Smt. Sikha Pal Chowdhury
Versus
The State of West Bengal and others

Mr. Prasenjit Debnath,
...For the petitioner.

Mr. Ashish Kumar Guha,
Mr. Naren Ghosh Dastidar
... for State.

Mr. Soumya Basu Roy Chowdhury
... for the respondent no. 4 and 5.

The petitioner complains that she is being thrown out of a joint property by the respondent no. 4 and his family members. Since July, 2022, she is residing with her daughter. Uttarpara Police Station has registered the N.C.R. Case No. 531 of 2022 dated 11th July, 2022. Proceeding under Sections 107 and 116(3) of the Cr.P.C. have been drawn up against the respondent nos. 4 and 5.

Having considered the case, this court is of the view that the petitioner is entitled to restoration of possession of her property.

Counsel for the private respondents submits that he has no objection if his mother comes to stay in her residence.

In the circumstances, the petitioner may return back to her residence and live along with any person that she may choose. Uttarpara Police Station shall

extend all cooperation to the petitioner so that she is able to reside peacefully thereat. Officer-in-charge, Uttarpara Police Station shall give warnings to the private respondents against any disturbance to the peaceful possession of the petitioner. In the event of any further complaint from the petitioner as regards harassment by the private respondents, coercive steps may be taken by the Uttarpara Police Station.

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

Instructions of the I.C., Uttarpara Police Station 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.)