

06.01.2022

Court No.13

Sl. 41

pk

W.P.A. No. 19097 of 2021

Smt. Renuka Paul

Versus

The State of West Bengal & Ors.

(Through Video Conference)

Mr. Susnigdho Bhattacharyya

...for the petitioner.

Ms. Chama Mookherji,

Mr. Gourav Das

...for the State

Mr. Angshuman Chakraborty

... for the respondent nos. 4 to 7.

Mr. Debapriya Majumder

... for the respondent no. 8.

The writ petitioner is aggrieved by alleged inaction of the Madhyamgram Police Station. It is submitted that the private respondent nos. 4 to 7 are preventing her from entering into a particular property which she has gifted to her granddaughter/respondent no. 8.

Counsel for the private respondent nos. 4 to 7 submits that his clients are the son, daughter-in-law and grandsons of the writ petitioner. It is submitted that the property, after being gifted to the private respondent/granddaughter has been given for development. It is also submitted that the entire original structure has been razed down.

Counsel for the State corroborates the submissions of the private respondent. It is further

submitted that a large number of complaints have been lodged by the petitioner and the private respondents against one and another and some have resulted in charge sheets.

In respect of the said property dispute between the parties T. S. No. 772 of 2021 is pending before the 1st Civil Judge (Junior Division), Barasat. Injunction has been ordered by the civil court at the instance of the private respondents against the petitioner.

In that view of the matter, this Court is of the view that the petition is gross abuse of process of law. A person claiming to be the senior citizen has made false and misleading statement in affidavit.

Hence, the writ petition is dismissed with costs assessed at Rs.5,100/- payable by the petitioner to the Madhyamgram Police Station within a period of ten days from date. In default of payment, Madhyamgram Police Station shall be entitled to recover the said sum of money in accordance with law.

Instructions of the Madhyamgram Police Station dated 07.12.2021 along with annexures is taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)

