

15.09.2022
sayandeep
Sl. No. 04
Ct. No. 05

WPA 20035 of 2022

Pratyush Ranjan Paul & Anr.
-Versus-
The State of West Bengal & Ors.

Mr. Tapash Kr. Bhattacharya
Mr. Aviroop Bhattacharya
.....for the petitioners

Mr. Ansar Mondal
Ms. Srilekha Bhattacharyya
.....for the State

Mr. Shibaji Kr. Das
Ms. Rupsa Sreemani
.....for the respondent Nos. 5 & 6

The present writ petition is for a direction on the respondent No. 3 being Sub-Divisional Officer, Kalyani Sub-Division, to recall the order dated 24.08.2022 by which the Inspector-in-Charge, of the concerned police station was directed to ensure that the petitioners should vacate the house of the private respondents within seven days of receiving the order and that the private respondents get back the possession of their house and are able to stay in the house without any disturbance.

The petitioners are the son and daughter-in-law of the private respondent Nos. 5 and 6. The petitioners made several complaints before the Sub-Divisional Magistrate, Kalyani alleging ill treatment by the private respondents. The private respondents also came to the Court by way of a writ petition which was disposed of by

an order dated 07.07.2021 by directing the Tribunal to consider and decide the complaints of the petitioners. The petitioners were also directed to allow the private respondents to live peacefully in their house and the police to ensure that there is no breach of peace.

Upon perusing the impugned order dated 24.08.2022, this Court finds no infirmity in the said order particularly since an earlier order refers to a Report filed by the Executive Magistrate which has been handed up to the Court. It appears from the said Report that the private respondents, being the octogenarian parents of the first petitioner have suffered various forms of torture in the hands of the petitioner for a long time which compel them to go before the Sub-Divisional Magistrate. Moreover, the appeal filed by the petitioners from the order dated 20.07.2022 is due to be heard on 23.09.2022.

This Court is hence not inclined to interfere with the orders passed by the Sub-Divisional Magistrate. On the other hand, since this Court finds the writ petition to be interference in the process directed by the authority, the parties are directed to comply with the orders of the Sub-Divisional Magistrate.

WPA 20035 of 2022 is dismissed without any order as to costs.

(Moushumi Bhattacharya, J.)