

WPA (H) 56 of 2022

(Chiranjit Mondal Vs. The State of
West Bengal & Ors.)

Mr. Sahid Uddin Ahmed
Mr. Anupam Bar

.... For the petitioner

Mr. Sabir Ahmed
Mr. Simanta Kabir

.... For the State

The present writ petition has been preferred
primarily praying for the following relief:-

*‘A Writ in the nature of Habeas Corpus
and/or any other Writs directing the
Respondents authority to immediately produce
the father of the Petitioner namely Haran
Chandra Mondal who has been wrongfully
confined by the Private Respondent with medical
facilities, if required, before this Hon’ble Court.’*

Mr. Ahmed, learned advocate appearing for the
petitioner submits that the petitioner’s father, namely,
Haran Chandra Mondal, had been wrongfully confined
by the petitioner’s sister and mother. Their intent is to
forcibly grab the properties of Haran Chandra Mondal.
The petitioner’s father is suffering from severe ailments
and he is not being taken care of by the private
respondents.

Records reveal that the petitioner earlier preferred a
writ petition being WPA 9568 of 2022 which was
disposed of by an order dated 13th June, 2022
directing the police authorities to ensure that law and
order is maintained and that either of the parties do

not commit any breach of peace. By the said order, it was also directed that vigil should be kept to ensure that petitioner's father is not pressurized or harassed by the private respondents.

Mr. Ahmed argues that in spite of issuance of such direction, no steps have been taken by the police authorities.

Per contra, Mr. Kabir, learned advocate appearing for the State submits that pursuant to the earlier order passed by the learned Single Judge in the writ petition being WPA 9568 of 2022, the police officials visited the residence of the private respondents on several occasions and it was ascertained that the petitioner's father was being taken care of by his wife and daughter. Let the report filed by the respondent no. 4 be kept on record.

A writ in the nature of *Habeas Corpus* is a prerogative writ by virtue of which the causes and validity of detention of a person are investigated by a summary procedure. The petitioner's father is presently residing with the petitioner's mother and sister. It, thus, cannot be said that the petitioner's father is under any illegal detention.

In the said conspectus, no interference is called for in the present writ petition and the same is, accordingly, dismissed.

There shall, however, be no order as to costs.

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

(Partha Sarathi Chatterjee, J.) (Tapabrata Chakraborty, J.)