

29.04.2022
Court No.13
Item No.39
AP

WPA 22960 of 2019

With

CAN 1 of 2022

Santwana Banerjee

Vs.

The State of West Bengal and Ors.

Mr. Emon Bhattacharyya

Mr. T. Das

Ms. Jally Dey

... For the Petitioner.

Mr. Raja Saha

Ms. Tanusri Chanda

... For the State.

Mr. Apurba Kumar Ghosh

... For the Respondent No.5.

The petitioner complains that the private respondent daughter-in-law is harassing her and her son. There is matrimonial discord between the daughter-in-law and the petitioner's son. There are proceedings instituted by the daughter-in-law under Section 498A, IPC 1860 against the petitioner, and counter claims by the petitioner against the private respondent daughter-in-law.

The private respondent daughter-in-law has not instituted any proceedings seeking any right of residence.

Since admittedly, the private respondent daughter-in-law is living separately with her parents, therefore, she is not in need of any residence in her in-laws' residence.

Until appropriate disposal of the proceedings in respect of the marriage between the private respondent daughter-in-law and the petitioner's son, the said private respondent daughter-in-law shall not be entitled to enter into the petitioner's residence except with the consent of her mother-in-law and permission of the Officer-in-Charge, Bally Police Station.

The daughter-in-law shall, however, be allowed to remove her articles from the said residence in the presence of and with prior consent of the petitioner.

With the aforesaid observations, the writ petition along with connected applications shall stand disposed of.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)