

13.03.2023.
Court No.13
Item No. 18
ap

W.P.A. No. 1511 of 2023

**Gayetri Mukherjee
Versus
The State of West Bengal & Ors.**

Mr. Dyutiman Banerjee.

...For the petitioner.

Mrs. Jhuma Chakraborty,
Mr. Aritra Ghosh.

...For the State.

Mr. Mohammad Irfan.

...For the respondent nos.4 & 5.

Affidavit-of-service filed in Court today be taken
on record.

The petitioner complains that since the private
respondent nos.4 and 5, namely, the son and
daughter-in-law are continuously inflicting torture
upon her, she is unable to stay in the house. The
residence stands in the name of the petitioner.

The private respondent nos.4 and 5 have refused
service of the writ petition as is evident from the
affidavit-of-service filed in Court today. They are,
however, represented by their learned Advocate.

The report of the Bantra Police Station dated 9th
February, 2023 is kept with the record. Proceedings
under Section 107 of the Code of Criminal Procedure
have been taken out against Champak Mukherjee and
Rinku Mukherjee as also against the petitioner. It
further appears from the said report that prior thereto,
proceedings under Section 107 have been drawn up
against Chayan Mukherjee and Champak Mukherjee.

Having heard the learned Counsels for the parties and the Police, this Court is of the view that the private respondents and the petitioners must learn to behave and live in peace.

Bantra Police Station shall take coercive steps against the private respondents, in the event of any genuine complaint from the petitioner and after making due enquiries.

Since the Police have also found the petitioner to have acted out of order, the petitioner herself is expected to behave in accordance with law.

With the aforesaid directions, the instant writ petition shall stand disposed of.

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.)