

13.03.2023.
Court No.13
Item No. 29
ap

W.P.A. No. 4566 of 2023

**Peau Mondal
Versus
The State of West Bengal & Ors.**

Mr. Rama Prasad Sarkar.

...For the petitioner.

Mr. Santanu Kumar Mitra,
Ms. Rama Halder.

...For the State.

Mr. Gazi Faruk Hossain,
Ms. Varsha Roy.

...For the private respondent nos.5 & 6.

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

The petitioner claims that Dhaniakhali Police
Station has not assisted her in ensuring enforcement
of an order of the learned Judicial Magistrate, 3rd
Court, Chinsurah (Sadar Court), Hooghly dated 12th
August, 2022 in MC Case No.01 of 2022.

It appears therefrom that the said order was
interim in nature and passed under the provisions of
Section 18 of the Prevention of Women from Domestic
Violence Act. It further appears therefrom that the
private respondents/in-laws have been restrained from
disturbing the petitioner's possession in the said
household.

The Officer-in-charge, Dhaniakhali Police
Station has filed a report dated 1st March, 2023 in the
form of instructions addressed to the Government

Pleader, High Court, Calcutta. The same is taken on record.

It appears from the said report that the petitioner was let into her house duly escorted by a team of Dhaniakhali Police Station and she identified her room and she continues to live there in peace.

A compliance report to this effect has been filed by the learned Additional Chief Judicial Magistrate, Chinsurah, Hooghly. The proceedings before the Additional Chief Judicial Magistrate, Chinsurah, Hooghly may continue in accordance with law and the petitioner's application shall be disposed of by the Additional Chief Judicial Magistrate, Chinsurah, Hooghly within a period of two months from date.

In that view of the matter, this Court sees no inaction on the part of Dhaniakhali Police Station. The Officer-in-charge, Dhaniakhali Police Station shall, however, maintain a regular vigil on the premises and ensure that the order of the Magistrate is strictly enforced.

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.)

