

06 10.08.2023
NB Ct. 14

WPA 17375 of 2023

Jayeeta Pal
Vs.
The State of West Bengal & Ors.

Mr. Sujit Bhattacharya,
Mr. Suman Chatterjee.
...for the petitioner.

Mr. Gourav Das.
....led by Sk. Md. Galib for the State.

Mr. Pawan Kr. Gupta,
Mr. Vijay Verma,
Mr. Suman Pathak,
Ms. Sufia Nesar,
Mr. Santanu Sett.
...for the respondent nos.6&7.

This is an application under Article 226 of the Constitution of India praying for a direction upon the respondent authorities to provide police help so that she can meet her sister Smt. Mira Bose who is residing at 34, Sahid Dinesh Gupta Road, Behala, Kolkata-7000034.

A fresh report along with a pendrive containing a video of the interaction of the respondent authorities with the elder sister of the petitioner, as filed in Court, is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. Pursuant to an application made by the petitioner earlier, this Court by an Order dated 09.06.2022 passed in WPA 1353 of 2021 granted the petitioner liberty to meet her sister Smt. Mira Bose on a particular day. The police was asked to render necessary help in this regard. However, the police did not provide any help in compliance with the order.

After a similar direction was passed by this Court on 01.08.2023, the petitioner went to meet her elder sister, but she was not allowed to meet her. There is another issue that some belongings of the petitioner are there inside the premises. Necessary directions may be passed so that the petitioner can obtain her own belongings.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Earlier on 13th June, 2022 at about 11 am the petitioner along with a lady constable went to the residence of Smt. Mira Bose, but she refused to meet her sister, the present petitioner. Pursuant to a direction passed by this Court on 01.08.2023, again an attempt was made to have the present petitioner met to her elder sister. This was done on 03.08.2023 at 11am. A lady constable L/C 566 accompanied the petitioner and her advocates. After reaching the residence of Smt. Mira Bose, she was approached to meet the petitioner, but she denied to meet her. The entire interactions with the said sister was videographed and is kept in a pendrive.

Learned counsel appearing on behalf of the private respondents submits as follows. It is for some ulterior motive that the petitioner is bent upon meeting her elder sister who does not want to meet her. The petitioner wants to create a scene in the locality to embarrass the private respondents.

I have heard the submissions of the learned counsels appearing on behalf of the parties and have perused the writ petition and the report filed by the State.

On the prayer of the present petitioner, several attempts have now been made to arrange a meeting between her and

her elder sister Smt. Mira Bose, but the said Smt. Mira Bose does not want to meet her for whatever reason.

This Court cannot force a meeting between the two in such circumstance.

So far as the question of belongings of the petitioner being kept inside the premises, this Court is not the appropriate forum to decide such disputed question of facts.

In view of the same, no further order need be passed in this case.

The writ petition is therefore, disposed of without any costs.

Urgent photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

(Jay Sengupta, J.)