

Court No. 14

WPA 19448 of 2023

14.09.2023

(AD 11)

(S. Banerjee)

Smt. Sumita Paine

Vs.

The State of West Bengal & Ors.

Mr. Ratul Biswas

Mr. Kaushik Chowdhury

... for the petitioner

Mr. B. Basu Mallick

Ms. Mrinalini Majumdar

... for the State

Affidavit of service filed on behalf of the petitioner is taken on record.

It appears that one of the private respondents refused to accept the notice.

Report filed on behalf of the State also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner had been driven out from her matrimonial home. She is receiving a very small amount as maintenance from her husband. The private respondents who are the mother and the brother of the petitioner, have also ousted her from the residence in which the petitioner is also a co-sharer. She had approached this Court earlier and by an order dated 04.01.2022 passed in WPA 13749 of 2021, this Court directed the Officer in Charge of Rishra Police Station to escort both the petitioners back to their residence. In

spite of this order, the appellants have not complied with the same.

Learned counsel appearing on behalf of the State relies on the report and submits that on 07.06.2023 a Sub-Inspector of Police from the Rishra Police Station went to the petitioner's present address to serve her a notice and to inform them the date and time when she would move to her paternal home. But, the petitioner neither received the notice nor disclosed any date or time.

Let the petitioner cooperate with the local police authorities and provide in writing the date and time on which the petitioner would like to return to her paternal home. A 24 hours' notice should be given to the police authorities in this regard. Upon this, the police shall provide adequate police protection to the petitioner and her son in terms of the order dated 04.01.2022 passed by this Court in WPA 13749 of 2021 so that they can return to the petitioner's paternal home. The return of the petitioner to her paternal home shall be videographed by the police authorities.

With the above observations this writ petition is disposed of.

Urgent certified copy of this order be supplied to the parties upon compliance of requisite formalities.

(Jay Sengupta, J.)