

WPA 19654 of 2023

Matangini Pradhan & anr.

-vs-

State of West Bengal & ors.

Mr. Mukteswar Maity

....for the petitioners

Mr. Ranjit Rajak

...for the State

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

Despite service, no one appears on behalf of the private respondents.

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

Learned counsel appearing on behalf of the petitioners submits as follows. The portion of the property that was owned by the husband of the petitioner no.2 was gifted by her to her daughter the petitioner no.1. These angered the private respondents who are her other relatives. The private respondents started to disturb the petitioners' peaceful possession and intimidated and assaulted them. Once they were thrown out of their residence. Thereafter, police help was rendered on 24.06.2023 so that they could go back home. Again the private respondents are trying to prevent the petitioners from entering into their own house.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. Based on the written information of the petitioner no.1, Junput Coastal Police Station Case No. 62 dated 23.06.2023 was started. On 24.06.2023, the petitioner and her foster mother, Sulekha Jana got entry into their house with police help. Subsequently, all 8 FIRs named accused were granted bail.

It appears that there is a dispute between the private parties over a property.

According to the State, on an earlier occasion, the petitioners had to be given police help so that they could return back home. The petitioners made a prayer that respondents should take necessary steps so that the petitioners cannot be prevented from entering their own house situated at Mouza Haripur Chaturtha Khanda.

In view of the above, if the petitioners want to enter their own house, the respondents shall not prevent the same.

In this regard, if an untoward incident happens or is apprehended by the petitioners, they shall be at liberty to intimate the Officer in Charge of the local police station who shall then act in accordance with law.

The police shall keep a close vigil at the locale and ensure that no breach of peace takes place.

With these observations, the writ petition is disposed of.

Urgent Photostat certified copy of this order be

supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)