

W.P.A. 19707 of 2023

Dilip Ghosh & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Prosenjit Mukherjee

Ms. Kakali Naskar

Ms. Sinthia Bala ... for the petitioners

Mr. Wasim Ahmed

Sk. Md. Masud ... for the State

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

It appears that one of the private respondents could not be served with a notice as the addressee had left without instruction.

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

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner nos. 1 and 2 are the aged parents of the petitioner no. 3, while the respondent no. 4 is their daughter-in-law and respondent nos. 5 to 8 are the relatives of the said daughter-in-law. On one occasion the petitioners invited the private respondents to come to their house. Suddenly, an altercation took place and the private respondents severely assaulted the petitioners. In fact, they ousted the petitioners from their own house. Now, the petitioners are seeking police help to return their own house and live there peacefully.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On the complaint filed by the petitioner, a specific F.I.R. being Ausgram P.S. Case No. 252 of 2023 dated 15.8.2023 under Sections 323,325,354,379,448,

506 and 34 of Indian Penal Code was started. However, none of the villagers supported the claim of the petitioners that the petitioners and their family members have been ousted from the house.

From the report submitted by the State it does not appear that the petitioners have been ousted from the house.

However, the respondent police authorities shall ensure that no breach of peace takes place and no harm is done to the present petitioners. If any untoward incident taken place or is apprehended by the petitioners they shall be at liberty to intimate the local police authority immediately, who shall take action in accordance with law.

With these observations, the writ petition is disposed of.

Urgent photostat certified copy of this order, if applied for, be given to the parties, upon completion of requisite formalities.

(JAY SENGUPTA, J.)