

September 27, 2023
AD 39
Court No.14
SG

WPA 21522 of 2023

Meherun Bibi @ Bobi Bibi
vs
State of West Bengal and others

Ms. Rita Patra
Ms. Pusmita Das

... for the petitioner

Mr. Jayanta Samanta
Ms. Tanuja Basak

... for the State

Affidavit of service filed by the petitioner 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 advocate appearing for the petitioner submits as follows. The petitioner is a tenant in respect of a property. The private respondents are the landlords. They have been harassing, threatening and intimidating the petitioner and her family members in order to evict them from the property. They even assaulted the petitioner. The petitioner was constrained to file a civil suit to prevent such forcible eviction. The same is pending. Yet, the private respondents are continuing with their illegal acts. A complaint was lodged to the police authorities, but in vain. The life of the petitioner and her family members are now at risk.

Learned advocate for the State relies on the report and submits as follows. On the complaint of the petitioner, Rangunathganj PS Case No.629/23 dated 26.07.2023 was lodged under Sections 376/511/354/323/506/34 of IPC. Anticipatory bail was granted to the accused in this case. However, the police are keeping close watch in the locality.

Whatever be the allegations that each of the parties may have against the other, a landlord does not have a right to forcibly evict a tenant without the due process of law

Therefore, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and no order of a civil court is violated.

In the event any untoward incident occurs or is apprehended by the petitioner, she shall be at liberty to call up the Officer-in-Charge of local police station who shall act in accordance with law.

With these observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]