

November 17, 2023
AD 27
Court No.14
SG

WPA 22233 of 2023

Purabi Pal
vs.
The State of West Bengal and others

Mr. Kishore Mukherjee
Ms. Ahitasni Dey
... for the petitioner
Ms. Mousumi Choudhury
Mr. Arindam Mitra
... for the State

Affidavit of service filed in Court is taken on record.

Despite service no one appears for the private respondents.

Report filed by the State is also taken on record.

A copy of the deed of conveyance dated 28.05.2008 filed by the petitioner is also taken on record.

Learned advocate for the petitioner submits as follows. The petitioner is an aged lady who lost her husband. She is the owner of the property in question. The respondent Nos. 5 and 6 are her daughter-in-law and son respectively. For sometime, the private respondents have been torturing the petitioner mentally and physically. They would even beat up the petitioner with fists and blows. On 14.07.2023 they beat up the petitioner and ousted her from her own residence. Pursuant to a complaint lodged by the petitioner, a case started against the private respondents.

Learned advocate for the State relies on the report and submits as follows. Pursuant to a complaint made by the petitioner, a specific FIR was lodged. The same is

being investigated. The police are keeping close watch on the developments in the locality.

It appears that the petitioner is the owner of the property in question. The private respondents are her own son and daughter-in-law. They have allegedly ousted her from her own residence.

At this advanced age, the petitioner should not be relegated to a civil court to seek relief.

Let the petitioner intimate the intended date and time of her return to her own residence to the Officer-in-Charge of Uttarpara Police Station with a twenty-four hours' notice to make necessary arrangements for police escort to accompany her to her residence. The entry of the petitioner to her residence shall be videographed.

The police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place and no harm is done to the petitioner.

In the event any such untoward incident occurs or is apprehended, the petitioner shall be at liberty to approach the Officer-in-Charge of Uttarpara Police Station who shall then take steps 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.]

