

November 28, 2023
AD 4
Ct. No.14
SG

WPA 22747 of 2023

Arachhan Sk. @Arajun Sk.
vs.
The State of West Bengal and others

Mr. Rhitam Chatterjee
... for the petitioner

Ms. Jhuma Chakraborty
Mr. Raja Ram Banerjee
... for the State

Copies of documents filed on behalf of the petitioner purportedly evincing the fact that the house in question belongs to her as filed in Court are taken on record.

Learned advocate for the petitioner submits that the petitioner is the owner of the property in question. The private respondents, who are her brother and nephew, have thrown out her from her own residence. She made a complaint before the police but no action was taken. The police did not even file a report in respect of a direction passed by the SDO, Kalyani, Nadia.

Learned advocate for the State relies on the report filed earlier and submits that on the complaint made by the petitioner, an FIR was registered and charge-sheet was also submitted. The police offered help to her to be taken to her own residence but she refused to go there unless the daughter-in-law left. This is a family matter in which the police can hardly interfere any further.

It appears from the report of the police that they had already offered the petitioner to be taken to her residence but she refused.

Nevertheless, she shall be at liberty to prefer an appropriate application before a court of law for recovery of possession.

If such a report has not been filed as yet, the police shall file necessary report as per direction of the SDO, Kalyani, Nadia.

It also appears that charge-sheet has already been submitted on the complaint of the petitioner.

Therefore, no further order need be passed.

However, the police shall keep a sharp vigil at the locale and ensure that no breach of peace takes place.

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.]