

01.02.2023
Court No.13
Item No.33
AP

WPA 26492 of 2022

**Mita Ray
Vs.
The State of West Bengal and Ors.**

Mr. Arnab Roy
Ms. Sayani Ahmed
Mr. Satyam Mukherjee
Mr. Soumyadeep Mukherjee

... For the petitioner.

Mr. Subrata Bhattacharjee

... For the private respondents.

Affidavit of service filed in Court today is taken on record.

The petitioner complains that her husband, elder son and daughter-in-law are trying to throw her and her younger son, out of the said premises. The premises stands in the name of the petitioner.

Counsel for the private respondents submits that the house was built out of the funds from the husband of the petitioner. The allegations of torture are baseless.

This Court is of the view that any mutual rights with regard to any property must be adjudicated before a civil forum.

The Inspector-in-Charge, Dum Dum Police Station shall, however, ensure that there is no breach of peace in the residence and shall maintain regular vigil over the premises.

Both the petitioner and the private respondents undertake before this Court not to create any breach of peace in the premises.

The petitioner shall serve a copy of this order to the Dum Dum Police Station.

With the aforesaid directions, the writ petition shall stand disposed of.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)