

15-03-2023

ct no. 13

sl. 17

sp

WPA 27895 of 2022

Manika Dey & Anr.

-Versus-

The State of West Bengal & Ors.

Mr. Sukanta Chakraborty,

Mr. Anindya Halder,

Mr. Zubair Ahmed

...for the petitioners

Mr. A.P. Lahiri,

Mr. S.P. Lahiri

...for the State

Mr. Saikat Mondal

....for the respondent nos. 6 and 7

Affidavit of service filed in Court is taken on record.

The petitioners complain that the private respondent nos. 6 and 7 being the son and daughter-in-law are continuously torturing them and forcing them to convey the residential property in their favour.

The Chanditala Police Station, Hooghly has filed a report dated 8.03.2023, which is taken on record.

It appears that there is a civil suit for eviction filed by the petitioner against the private respondents being T.S. No. 250 of 2020, now

pending before the learned Civil Judge (Junior Division), 3rd Court, Serampore.

The reports of the Chanditala Police Station indicate that on the petitioners' complaint, an FIR was registered against the private respondents and Charge Sheet No. 141 of 2020 dated 30.06.2020 under Sections 341/323/325/427/504/506 of the IPC, has been filed.

Further complaints have been received by the Chanditala Police Station from the petitioners. A G.D. Entry has been made and proceedings under Sections 107 and 116 of the Cr. P.C. have been taken out.

This Court is of the view that there is prima facie evidence of the misbehaviour by the private respondents towards the petitioners. The question of the petitioners being coerced or compelled to convey any property to the private respondents does not and cannot arise.

The Chanditala Police Station shall take appropriate steps in the event of any future complaint in this regard. Such steps shall include coercive measures against the private respondents.

The private respondents undertake before this Court to live in peace with the petitioners and abide

by any final decree or order that may be passed in the civil suit.

The Chanditala Police Station shall continue to maintain regular vigil on the property and ensure that there is absolutely no breach of peace in the area.

With the aforesaid observations, W.P.A. 27895 of 2022 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.)