

27.04.2023.
Court No.13
Item No. 27
ap

W.P.A. No. 28886 of 2022

**Tapati Roy
Versus
The State of West Bengal & Ors.**

Mr. Sayan De,
Mr. Kaustav Shome,
Ms. Esha Acharya,
Mr. Sayan Kanjilal.

..For the petitioner.

Mr. Nilotpal Chatterjee,
Ms. Amrita Panja Moulick.

...For the State.

Ms. Susmita Saha Dutta,
Mr. Niladri Saha,
Ms. Madhurima Basu.

...For the respondent nos.5 & 6.

1. The report of the Superintendent of Police, Raiganj Police District, Uttar Dinajpur indicates that the petitioner has been escorted into her house and investigation into FIR has been completed and charge-sheet No.231 of 2022 dated 28th February, 2022 has been filed.
2. The private respondents are represented. They are admittedly running a Mess at the adjacent plot having purchased the same. They were using the petitioner's house as a Canteen.
3. The petitioner is extremely uncomfortable with the private respondents since they have alternative place to stay and are running a business.
4. The private respondents may remove all their articles and belongings from the petitioner's residence and also clean up the same. The removal of the

articles shall be done in presence of the petitioner and any of her representatives.

5. Raiganj Police Station shall, if necessary, depute a lady constable present at the time of removal of articles.

6. In the backdrop of the facts and circumstances of the case, the private respondents may not, without consent of the petitioner, enter the house. For the aforesaid purpose, the private respondents and the petitioner shall indicate a convenient date and time to the Raiganj Police Station.

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

8. There will be no order as to costs.

9. All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)