

March 14, 2024
AD 2
Ct. No.14
SG

WPA 8409 of 2023

Subhajit Karmakar and another
vs.
The State of West Bengal and others

Mr. Krishnendu Sarkar
Ms. Meghla Das
... for the petitioners.

Mr. Jayanta Samanta
Mr. Kushal Biswas
... for the State.

Learned advocate for the petitioners submits as follows. The petitioners are the son and daughter-in-law of the respondent No.4 while the respondent No.5 is the step-mother of the petitioner No.1. The private respondents had rather unceremoniously driven out the petitioners from the property where they were residing together. All their belongings including important documents like Aadhaar Card and other identity related documents and educational certificates of their minor daughter were lying in their room. But, one wonders whether the lock of the door is still intact. The petitioners are making a limited prayer of taking back their articles from the said room with police assistance. A civil proceeding is pending in respect of the property.

Learned advocate for the State relies on the report filed earlier and submits as follows. The police are keeping a close watch on the developments in the locality.

The petitioners have not sought to take back possession of the property in the question.

It appears that the petitioners' limited prayer is that they may be permitted to take back the articles from the said premises.

In view of the above, the petitioners shall intimate the date and time on which they would like to visit the said premises to take back their articles to the Officer-in-Charge of Rahara Police Station and to the private respondents with a notice of 48 hours' so that the private respondents can allow them to enter the said premises for the limited purpose of taking back their own articles. The police shall stand guard at the time the petitioners visit the place to recover their articles.

With these observations, the writ petition is disposed of.

As affidavits were not called for, the allegations made are deemed not to have been admitted.

Urgent certified copies of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

Parties shall act on a server copy downloaded from the official website of this Court.

[Jay Sengupta, J.]

