

27 05.04.2024  
NB Ct. 14

**WPA 9268 of 2024**

Puspita Mandal  
Vs.  
The State of West Bengal & Ors.

Mr. Moyukh Mukherjee,  
Mr. Prasanta Kr. Saha,  
Mr. Abhijit Singh,  
Ms. Sagnika Banerjee.  
...for the petitioner.

Mr. Susovan Sengupta,  
Mr. Subir Pal.  
...for the State.

Affidavit of service filed on behalf of the petitioner is taken on record.

Learned counsel appearing on behalf of the petitioner submits as follows. The petitioner is the legally married second wife of a person who was a tenant in respect of the premises in question. The petitioner was working elsewhere. She learnt that her husband passed away. She came back to their earlier tenanted residence to find the same locked from outside. The petitioner's belongings including streedhan articles are there inside. This was intimated to the police authorities, but no steps were taken.

Learned counsel appearing on behalf of the State submits as follows. After the demise of the petitioner's husband, the landlord of the said premises had locked the same as there was no one to take care of the same and because there was a due of arrear rent. However, since the petitioner's articles are lying inside the said property, she shall be at liberty to take out the same. The key is with the police.

At this stage, learned counsel appearing for the petitioner submits that there is due of one month's rent, which shall be paid. The petitioner can go to the said premises tomorrow at 11 O'clock and collect her articles.

Regardless of any dispute regarding any non-payment of rent between the petitioner's husband and the landlord, the petitioner is entitled to take away her belongings from inside the said premises.

Let the Inspector-in-Charge of Krishnanagar Police Station make adequate police arrangement for the petitioner to go to the said premises on 06.04.2024 at 11am and take back her articles. He shall open the padlock of the door at the entrance and allow the petitioner to take away all her articles.

The entire process shall be videographed.

Even otherwise, the police authorities 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 photostat certified copy of this order may be supplied to the parties expeditiously, if applied for.

**(Jay Sengupta, J.)**