

32  
03.07.2024  
d.p.

**In The High Court At Calcutta  
Constitution Writ Jurisdiction  
Appellate Side**

**W.P.A. 14351 of 2024**

**Hiranmoyee Paul  
-versus  
The State of West Bengal & Ors.**

**Mr. Anirban Dutta,  
Ms. Sayantani Biswas  
...For the Petitioner.**

**Mr. Suman Ghosh,  
Mr. Siddhartha Ghosh.  
...For the State.**

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

The petitioner alleges that the police are not taking any step in response to the complaint filed before the Officer-in-Charge, Netaji Nagar Police Station on 6<sup>th</sup> May, 2024.

The son, daughter-in-law and her grandson are not allowing the petitioner to enter her own house.

The house in question is a two storied building. 700 sq.ft. in the first floor of the house has been gifted in favour of the son of the petitioner being the private respondent no. 6. There is balance 500 sq.ft. in the first floor. The petitioner is not given entry in that portion of the subject building. The front door of the building has been put under padlock without giving a key to the petitioner. The electricity and the water connection in the ground floor has been disconnected by the private respondents.

The petitioner prays for a direction upon the police to put her back in possession. Prayer has also been made to ensure that the petitioner can enjoy the property peacefully without any disturbance from the private respondents.

Report filed by the Officer-in-Charge, Netaji Nagar Police Station signed on 20<sup>th</sup> May, 2024 mentions that in response to the complaint filed by the petitioner, Netaji Nagar PS Case No. 91 dated 17<sup>th</sup> May, 2024 has been initiated. The petitioner has been intimated about the initiation of the said case. The investigation of the case is under progress.

As it appears from the submissions made on behalf of the parties that a portion of the property is still recorded in favour of the petitioner who is a senior citizen, accordingly, the police is directed to escort the petitioner back to her own house and ensure that she may enjoy the same without any obstruction or disturbance from the end of the private respondents.

The petitioner shall intimate the date and time when she intends to return to her property.

The police shall ensure that the petitioner can use and occupy the portions which are recorded in her name without any hindrance/ obstruction from the private parties.

The writ petition stands disposed of.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

( Amrita Sinha, J.)