

93 24.09.2024

G.S.Das

Smt. Shima Roy Seal
-Vs-
The State of West Bengal & Ors.

... for the petitioner

... for the respondent nos.13-16

... for the respondent no.10,11&12

Mr. Arghya Mullick

... for the Madhyamgram Municipality

Mr. Sk. Md. Masud

... for the State

Report submitted by the State be
kept with the record.

Learned advocate appearing for the State submits that pursuant to the complaint so submitted by the present petitioner, Madhyamgram P.S. Case No. 583 of 2024 dated 28.08.2024 has been registered under Sections 498A/406/506 of the IPC and the process of investigation

is continuing.

Learned advocate for the respondent is also present, who submits that the petitioner would be at liberty to stay at the residence of her matrimonial home.

However, the learned advocate for the petitioner submits that the petitioner is insecure to enter into the residence of her matrimonial home.

In case, the petitioner intends to stay at her matrimonial home and is being deterred by the inmates of the matrimonial home, proper recourse would be to file an application under the relevant provisions of the PWDV Act, 2005.

So far as the police authorities are concerned, the grievance of the petitioner has been addressed by the

registration of the FIR and the same should be taken to its logical conclusion after the materials are collected by the investigating agency.

The petitioner would also approach the concerned jurisdictional criminal court for remedies under the PWDV Act for her residential rights, if at all required.

With the aforesaid observations, WPA 19344 of 2024 is disposed of.

Pending application(s), if any, is also disposed of.

Let a copy of the report be handed over to the learned advocate for the petitioner as well as the private respondents.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)