

January 17, 2024
AD 12
Ct. No.14
SG

WPA 22109 of 2023

Mary Joseph and others
vs
The State of West Bengal and others

Mr. Supriyo Chattopadhyay
Mr. Sudip Kumar Maiti
Ms. Paromita Malakar (Dutta)
Mr. Debajyoti Goswami
... for the petitioners

Mr. Ashim Kumar Ganguly
Mr. Jayanta Samanta
Mr. Tarak Karan
Mr. Amit Halдар
... for the State

Mr. Srikanta Paul
Ms. Ankita Chowdhury
... for the respondent Nos.4 & 5

Learned advocate for the petitioners submits as follows. The petitioner No.1 is the mother of the respondent No.5 and the mother-in-law of the respondent No.4. By an order dated 24.04.2023 passed by the learned Judicial Magistrate, 8th Court, Alipore, South 24 Parganas, the private respondents were directed to vacate the premises in question where the petitioner No. 1 resides. The Officer-in-Charge of Haridevpur Police Station was directed to communicate the order and to make the private respondents comprehend the same. Yet, the police authorities have not helped the petitioners in vacating the premises.

Learned advocate for the private respondents denies the allegations and submits that there is a misjoinder of

parties. In any event, the order dated 20.04.2023 passed under the provisions of Protection of Women from Domestic Violence Act has already been challenged before the appropriate authorities.

Learned advocate for the State submits that there is no police inaction. The police duly communicated the order to the private respondents.

There was no direction passed by the learned Judicial Magistrate upon the police authorities to vacate the premises. A direction was passed only to communicate the order.

The instant application is misconceived.

Therefore, the writ petition is dismissed, however, without any order as to costs.

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

[Jay Sengupta, J.]