

6 19.11.2024

G.S.Das

Soma Pal
-Vs-
The State of West Bengal & Ors.

Mr. Joydip Banerjee
Ms. Rupsha Chakraborty
... for the State - respondents

The report reflects that the present petitioner was not staying at the given address for which she claims that she has been prevented from entering.

The background of the case as narrated in the report submitted by the police authorities are to the effect that the petitioner's husband purchased a land

within the jurisdiction of Haripal P.S. in the district of Hooghly and, 20 years ago the present petitioner was married to the owner of the house.

However, the couple resided at a native village at Bakharpur under P.S.- Pursurah and now, the petitioner have been residing with her daughter and father-in-law within the jurisdiction of Pursurah P.S.

The same person i.e., the husband of the present petitioner, again, married the respondent no.4, namely, Manika Pal, as is reflected from the report and started residing as husband and wife in a rented house at Piyashara under P.S. Tarakeswar for five years, then, at another rented house for four years.

The husband of the petitioner passed away in a road accident and after

demise of said Bapan Pal, the second wife i.e., Manika Pal went to the newly constructed house and started residing there and, since then, she is continuing to reside at the same place.

This being the scenario, I direct that the petitioner would approach the appropriate jurisdictional civil court for deciding the issue as, *prima facie*, it reflects from the police report that there is a dispute in facts as to whether the petitioner was earlier residing at the address as referred to in the writ petition.

With the aforesaid observations, WPA 23190 of 2024 is **disposed of**.

Report so submitted be kept with the record. Let a copy of the report be handed over to the learned advocate for the petitioner.

Affidavit of service so filed be

kept with the record.

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

(Tirthankar Ghosh, J.)