

12.11.2024
Item No.26
Ct. No.35
dc.

W.P.A. 26311 of 2024

**Ramprasad Das
versus
The State of West Bengal & Ors.**

Mr. Gazi Faruque Hossain,
Ms. Varsha Roy ... For the Petitioner.

Mr. Suman Ghosh,
Mrs. Munmun Tewary ... For the State.

Mr. Soumen Bhattacharya,
Mr. Debobrata Chakraborty
... For the private Respondents.

Affidavit-of-service filed in Court today be
kept with the record.

Report submitted by the learned advocate
appearing for the State be also kept with the record.

The petitioner is aggrieved by the fact that he
is not being allowed to enter into his own property
at the behest of the private respondents

Mr. Ghosh, learned advocate appearing for
the State has submitted that there is matrimonial
dispute and number of cases has been registered
and there are other complaint cases also *inter se*
between the parties. The petitioner pursuant to the
case registered under Section 498A of the Indian
Penal Code voluntarily left home and has been
residing at a rental accommodation. The complaint
of the petitioner could not be entertained as the
petitioner is to get redressal from an appropriate
forum.

The learned advocate appearing for the private respondents submits that the petitioner has other properties and he is purposely staying outside.

Be that as it may, the petitioner would be at liberty to approach the jurisdictional civil court in terms of the remedy sought for in the writ petition.

With the aforesaid observations, the writ petition being WPA 26311 of 2024 is disposed of.

There shall be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)