

16.04.2024
Sl. No.51
g.b.
Court No.14

W.P.A. 27977 of 2023

Papiya Chakraborty & Anr.
Vs.
The State of W. B. & Ors.

Mr. Pradip Kumar Chatterjee
.....For the Petitioners
Ashim Kr. Ganguly
Ms. Jyotsna Roy Mukherjee
.....For the State

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State is also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioners are a married couple. The petitioner no.1 is 59 years old while the petitioner no.2 is of 69 years. In 2002 the petitioners purchased a property in the name of the petitioner no.1. They made a construction there and started residing. The private respondent no.5 is the son and the private respondent no.6 is the daughter-in-law of the petitioners. After the marriage of the private respondents, they have been trying to disturb the possession of the property by the petitioners. They have been making all efforts to oust the petitioners from their own property. They have been torturing and intimidating the petitioners. All these have been brought to the notice of the police, but in vain.

Learned counsel appearing on behalf of the State relies on the report and submits as follows. On the complaint of the petitioners, a proceeding was initiated under Section 107 of the Code on 14.12.23. Even thereafter general diaries have been registered. However,

the police are keeping a close watch on the developments of the locality.

The son and the daughter-in-law would at best stay at the parents' property as licensees.

In any event, if the petitioners want to evict them from the said premises, they shall be at liberty to do so as per law.

It appears that the police have also acted on the complaint of the petitioners and a proceeding was initiated under Section 107 of the Code.

Therefore, no further order need be passed in this case.

In the event any untoward incident occurs or is apprehended by them, the petitioners shall be at liberty to intimate the Officer-in-charge of the Titagarh Police Station who shall then act in accordance with law.

Parties shall act on the serve copy of this order duly downloaded from the official website of this court.

(Jay Sengupta, J.)