

D/L 202
26.02.2025
Kausik
ct.no.35

W.P.A. 3477 of 2025

**Antara Dutta
Versus
The State of West Bengal & Ors.**

Mr. Tapan Dutta Gupta
Mr. Amit Kumar Misra
Ms. Rituparna Ghosh
Mr. Sourav Sardar

...for the petitioner.

Mr. Amit Ranjan Pati
Ms. Swastika Chowdhury
Mr. Arun Samanta

...for the private respondent nos. 5 to 9.

Mr. Santanu Kumar Mitra, Sr. Govt. Adv.
Ms. Anandamoyee Ghosh

...for the state.

Petitioner complains that she is not allowed to enter her paternal home at the behest of the private respondents who happens to be the mother and brother and their associates.

It has been additionally submitted that the petitioner has a right over the property, but in spite of such right she is being restrained from entering with her two daughters.

State has submitted a report. Report reflects that earlier complaint was filed and accordingly steps have been taken being Narendrapur PS Case No. 859/24 dated 19.07.2024 under the relevant

provisions of the Bharatiya Nyaya Sanhita. Subsequently, again on 20.12.2024 an information was furnished which reflects that a General Diary Entry No. 1732 dated 20.12.2024 has been registered.

Learned advocate for the private respondents submits that if the petitioner is so aggrieved, petitioner is to approach the civil court for partition of the property.

I have considered the limited scope of the police authorities in addressing such disputes.

Petitioner would approach the jurisdictional civil court with prayers for entering the residence if she is entitled under law. Learned Court will decide the same by exercising its discretion.

With the aforesaid observations WPA 3477 of 2025 is disposed of.

Report so submitted be kept with the record.

Copy of the report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)