

05.05.2025
Item No.9
Ct. No.35
dc.

W.P.A. 8371 of 2025

Punam Ray
versus
The State of West Bengal & Ors.

Mr. Nirmalendu Bera,
Ms. Gopa Das ... For the Petitioner.

Mr. Sirsanya Bandopadhyay, Sr. Standing Counsel,
Mr. Debopriyo Karan ... For the State.

Mr. Shubhradip Roy,
Ms. Ritu Das ... For the Respondent No.4.

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. A copy of the report be handed over to the learned advocate appearing for the petitioner.

The petitioner is the wife of the respondent no.4. Petitioner alleges that the respondent no.4 has left her along with two minor sons and she is unable to trace out the respondent no.4. As such, the petitioner lodged complained. It has also been alleged that the respondent no.4 had taken loan from several persons and as such, she is under tremendous stress and threat.

Learned advocate appearing for the respondent no.4 submits that there is alternative and efficacious remedy already available to the petitioner. As such, invoking the jurisdiction of this Court is unwarranted.

State has submitted a report which reflects that information was furnished to the police station. Accordingly, Missing Person Register No. 48/2024 dated 10.07.2024 is available with the portal so maintained by the police authorities.

The writ petitioner has also sent a letter to the respondent no.4. As such, according to the report, the petitioner is well aware regarding the whereabouts of her husband. Having regard to the report so submitted by the police authorities and the nature of the dispute complained of, petitioner would be at liberty to approach the jurisdictional courts for alternative and efficacious remedy in case, she has grievance relating to residential rights and/or maintenance. This Court under Article 226 of the Constitution of India will not invoke its jurisdiction.

Needless to state that since no affidavits have been called for, the accusations made against the private respondent and/or the State-respondents are deemed not to have been admitted.

With the aforesaid observations, the writ petition being WPA 8371 of 2025 is disposed of.

There will 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.)