

Sl.No. 90 05.05.2025
Court No. 35
G.S.Das

WPA 8807 of 2025
Gita Debnath (Nath)
-Vs-
The State of West Bengal & Ors.

Mr. P. Mukherjee
Ms. Rima Banerjee
Mr. Prasanta Kr. Banerjee
Mr. Purnankar Biswas
... for the Petitioner(s)
Mr. Suman Sengupta, Id. Sr. Adv.
Ms. Amrita Panja Moulick
... for the State-respondent(s)
Mr. Sanat Kr. Das
Mr. Sujan Chatterjee
Mr. Rohan Bavishi
... for the respondent nos. 5 and 6

The petitioner is apprehensive that her younger son and daughter-in-law are creating immense physical and mental torture upon her and are also attempting to throw her out from her residential premises.

Learned advocate for the State has submitted a report which reflects that the petitioner and the private respondent(s) both have preferred proceedings under the PWDV Act before the learned jurisdictional Magistrate concerned.

Be that as it may, the petitioner is apprehensive that she may be thrown out from her residence. However, there is no denial that, till date, she is at her residence.

Accordingly, the police authorities would ensure that the petitioner is not obstructed from enjoying a portion of the property which *presently* she is enjoying. However, this is subject to an order passed in the PWDV proceedings.

So far as the private respondents are concerned, it is directed that the police authorities under any garb will not throw away the respondents without any order from the court of law.

Since the police authorities have initiated a proceeding under Section 126/135 of the BNSS, they would ensure that there is no breach of the peace and/or tranquility taking place as also no untoward incident resulting because of the

strained relationship existing between the parties.

With the aforesaid observations, WPA 8807 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Report so submitted 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.)

