

January 16, 2025
Sl. No. A 97
Court No.35
s.biswas

WPA 9640 of 2024

Saraswati Giri

vs.

The State of West Bengal and others

Mr. Souradeep Dutta

Mr. Swakshar Kumar Mondal

Mr. Himadree Ghosh

... for the petitioner

Mr. Suman Sengupta

Mr. Sanatan Panja

... for the State

Mr. S. K. Bhattacharyya

Mr. Sarthak Burma

... for the respondent no.6

The report by the Officer-in-Charge, Jharkhali Coastal Police Station, Baruipur Police District, be taken on record and a copy of the report be handed over to the learned advocate for the petitioner.

The report reflects that pursuant to the direction passed earlier by the SDM, Canning Court, South 24 Parganas, the petitioner was reinstated. However, the learned advocate for the respondent no.6, Bapi Giri, submits that there is no role of the respondent in the petitioner leaving the residence, which she had on her own decided to do.

Learned advocate for the respondent no.6 also submits that the respondent no.6 is not staying at the said particular premises and is residing at a different address which is adjacent to the said premises.

In view of the petitioner intending to return to her residence, the police authorities would render appropriate assistance. The respondent no.6 indicates that since the petitioner is not staying at the said premises, there is no issue of creating any coercion which would result in the petitioner leaving the said premises.

In view of the aforesaid, if the petitioner approaches the police authorities, the police authorities would render assistance to the petitioner in entering her residence. If the residence is under lock and key and if the key is with respondent no.6, the same be handed over to the police authorities, in the alternative police would break open the padlock and allow the petitioner to reside at the premises, which was earlier decided by the learned SDM, Canning Court.

With the aforesaid observation, WPA 9640 of 2024 is disposed of.

All the parties shall act on the basis of the server copy of the order.

(Tirthankar Ghosh, J.)