

MAT/557/2021

**INDRANIL ROY
VS.
STATE OF WEST BENGAL AND ORS.**

Per, Sujoy Paul, ACJ.

1. None for the appellant even in the pass-over round.
2. None for the State as well.
3. This intra-court appeal assails the order of learned Single Judge dated 12th May, 2021, passed in WPA No.10492 of 2021. Learned Single Judge has reproduced the prayer of the writ application in the impugned order and came to hold that no relief is due in the writ application. The wife has a right to stay at her matrimonial house. A minute reading of relief shows that basically there is a matrimonial discord between the husband and wife. All reliefs claimed are basing upon said discord.
4. However, this is settled that in a writ petition no direction can be issued for registration of FIR or treating a complaint to be an FIR. See the recent order of this court in ***Sourav Mitra vs. Swati Chakraborty Bhattacharya & Ors.*** reported in ***2025:CHC-AS:2167-DB.***
5. The remaining reliefs are also between the husband and wife and such reliefs arising out of matrimonial discord, no relief can be granted in a writ application.

6. The intra-court appeal has no substance and is hereby **dismissed**.
7. No order as to costs.

(SUJOY PAUL, ACJ.)

(PARTHA SARATHI SEN, J.)