

M/L 638
04.08.2025
ct.no.35
Kausik

W.P.A. 14842 of 2024

**Tumpa Chatterjee
Versus
The State of West Bengal & Ors.**

Ms. Tannistha Bandyopadhyay

...for the Petitioner.

Mr. Santanu Kr. Mitra, Sr. Govt. Adv.
Mr. Subhabrata Das

...for the State.

Petitioner is aggrieved by the fact that she is unable to enjoy the property and in spite of informing the police station no assistance was received.

State has submitted a report which reflects that the petitioner herself was involved in connection with Uttarpara PS Case No. 898/2017 dated 28.10.2017 which was registered under section 302/120B of the Indian Penal Code. Subsequently, the said case ended in a charge sheet.

So far as the stand of the State is concerned, it is submitted that the present writ petition has been preferred with an oblique motive knowing fully well that a sessions triable offence has been made out against the petitioner and she will

not be able to enter the flat and the shop room having regard to the grievance of the locality.

Be that as it may, since the petitioner intends to enjoy the property, petitioner would be at liberty to take out an appropriate application before the jurisdictional criminal court which is in seisin of the issue. Learned Court would assess regarding the truthfulness of the accusations, call for a report from the police authorities, assess whether the right of the petitioner is established and thereafter pass necessary directions as it deems fit and proper.

With the aforesaid observations WPA 14842 of 2024 is disposed of.

Report submitted be kept with the record.

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

(Tirthankar Ghosh, J.)