

12.08.2025
Court No. 35
D/L. No.36
Rakib

W.P.A. 18075 of 2025

**Shyamali Das @ Sukul
VS
The State of West Bengal & Ors.**

Mr. Ibrahim Shaikh
Mr. Benazir Shaikh
...for the Petitioner
Mr. Suddhadeb Adak
Mr. Abhishek Chakraborty
...for the State.
Mr. Dipankar Aditya
Mr. Amitabh Shukla
Mr. Prakash Pandey
Ms. Ashwarya Priya Raha
...for the respondent no.5.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner complains that she is being obstructed from entering at her residence at the behest of the private respondents and to that effect in spite of informing the police authorities no steps have been taken.

State has submitted a report. Report reflects that there is a matrimonial dispute existing, to that extent MAT Suit No. 1852/2022 is pending before the jurisdictional Court. A case has been initiated being Cossipore P.S. Case no. 113/2022 under Section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act. A proceeding is already pending before the learned Judicial Magistrate, 3rd Court, Sealdah under the provision of PWDV Act, 2002 being DV Case no. 92/2022. There are other proceedings under the relevant provisions of law.

Learned advocate for the private respondents submit that there are other information which have been furnished to the police authorities and the accusations made in the writ petition are denied and disputed as they are wild allegations without any foundational facts.

Since the petitioner is aware regarding the provisions of PWDV Act, 2002 and the residential right is one of the reliefs which can be sought for under the said Act, petitioner would file appropriate application before the said Court in respect of the inconveniences faced for residential right and/or for any reliefs in respect of alternate accommodation.

With the aforesaid observations WPA 18075 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

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

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.)