

D/L 22
20.08.2025
Bpg.
ct.no.35

W.P.A.18667 of 2025

**Chandana Khatun
Versus
The State of West Bengal & Ors.**

Mr. Sk. Nezamuddin
Mr. Sk. Jahadar Alam.
...for the petitioner.

Mr. Swapan Banerjee
Ms. Munmun Tewary.
...for the State-respondents.

Petitioner's principal grievance at this stage is that she is unable to stay at her residence along with the family members. The writ petition was filed at a stage when the petitioner felt that there was insecurity so far as the life and property of the petitioner is concerned.

Having considered the totality of the circumstances including the previous orders passed by the Co-ordinate Bench and the order passed in WPA 19812 of 2023, I am of the opinion that the foremost priority in this case would be that the petitioner and her family members return to their home.

State has given an undertaking that so far as the petitioner's staying at her home is concerned, petitioner and her family members will not be

subjected to any sort of torture or inconvenience. Already criminal cases have been registered by the police authorities being Keshpur P.S. Case No.341 of 2025 dated 21.07.2025 and Keshpur P.S. Case No.346 of 2025 dated 21.07.2025 in respect of the incident complained of and I find that the sections are under Sections 117(2) and 109 of the BNS being incorporated.

Having considered the gravity of the situation, I direct the Inspector-in-Charge, Keshpur Police Station to keep a constant vigil by way of patrolling (24x7) so that no untoward incident further takes place and the petitioner and her family members do not feel insecure to stay at their residence.

As an undertaking has been given by the State, further directions are unwarranted but it would be the duty of the Inspector-in-Charge/Officer-in-Charge of Keshpur Police Station to ensure the safety and security of the petitioner and her family members.

Without due process of law the petitioner and her family members should not be evicted from the portion of the residential premises which they were earlier enjoying. This order will not cover any land dispute existing between the petitioner. So far as

other land disputes are concerned relating to cultivation and agriculture, the same will not cover this order and would be subject to the orders passed by the concerned Tribunal.

With the aforesaid observations, WPA 18667 of 2025 is disposed of.

There will be no order as to costs.

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

Urgent photostat certified copies of this order, if applied for, be given to the parties upon compliance of all requisite formalities.

(Tirthankar Ghosh, J.)