

Sl.No.
39 12.09.2025

Court
No. 35

G.S.Das

WPA 21332 of 2025

Padma Dey
-Vs-
The State of West Bengal & Ors.

Mr. S. Chatterjee
Ms. Arpita Kundu
... for the Petitioner(s)

Mr. Tanmoy Kr. Ghosh, Id. SGA
Ms. Richa Pramanik
... for the State – Respondent(s)

Affidavit-of-service so filed be kept

with the record.

The petitioner has already

approached the learned Judicial Magistrate

invoking the provisions of Section 12 of

the PWDV Act with a prayer for

necessary relief(s).

The main grievance of the

petitioner is that she is not being allowed

to stay at her matrimonial home. There

were *earlier* criminal cases which have

been registered being Halisahar P.S. Case

No. 103 of 2024 and Halisahar P.S. Case

No. 180 of 2024. In both the cases,

charge-sheet(s) has been submitted before

the jurisdictional court. Another case being Halisahar P.S. Case No. 230 of 2025 has already been registered for investigation.

Having considered the steps taken by the police authorities, I am of the view that the police authorities in matrimonial disputes relating to residential rights can act if only specific directions are being passed under the relevant provisions of law.

The petitioner has already invoked the relevant provisions of Section 12 of the PWDV Act. In case, the learned Judicial Magistrate, who is *in seisin* of the case, passes specific directions regarding residential rights or, alternate accommodation, in that case, the police authorities would implement such order.

With the aforesaid observations, WPA 21332 of 2025 is disposed of.

Pending application(s), if any, is

also disposed of.

Report so submitted be kept with the record. A copy of the report be handed over to the petitioner.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

(Tirthankar Ghosh, J.)