

December 10, 2025
(10) ARDR

WPA 26857 of 2025

Anita Mukherjee
Vs.
The State of West Bengal & ors.

Adv. Moyukh Mukherjee,
Adv. Prasun Mukherjee,
Adv. Rajkumari Priyanka Devi,
Adv. Subhamoy Dutta,
Adv. Sarmistha Basak,
... for the petitioner.
Adv. Aditya Bikram Mahata,
Adv. Jyotiaditya Mondal,
Adv. Rahul Bhowmick,
..for the respondent nos. 4 & 5.
Adv. Jayeeta Sinha,
Adv. Ranjit Rajak,
...for the State.

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

The petitioner is the mother of respondent no.4 and respondent no.5 is the wife of the respondent no.4. The petitioner alleges that the private respondents who are residing in the house of the petitioner are continuously meting out torture upon her and are disturbing her peaceful possession therein.

Opposing the said fact, learned counsel for the private respondents submits that it is the petitioner and her husband who are disturbing their peaceful possession in the property and raising false allegations against them. The 5th private respondent lodged a complaint before the Garfa Police Station which was endorsed by several local people.

Learned counsel for the State submits that the complaint lodged by the petitioner was diarized and both parties were asked to maintain peace.

It is not in dispute that the house in question belongs to the petitioner and her husband and the private respondents being the son and daughter in law of the petitioner reside therein. They can at best be termed as licensees under the petitioner and her husband.

On prayer of the petitioner, liberty is granted to file a comprehensive complaint before the local police station ventilating her grievance.

In the meantime, the police authority is directed to keep strict vigil over the area in order to avoid any untoward incident and to maintain peace and tranquility. The police authority shall ensure that the private respondents do not disturb the peaceful possession of the petitioner and her husband in their own house and shall render assistance/protection to the petitioner as and when required.

With the aforesaid direction, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)