

03.12.2025
rc/ct.no.05
Item No.07

WPA No. 28245 of 2023
Pratima Sonar Biswakarma
Versus
The State of West Bengal & Ors.

Mr. Santanu Das
Mr. Rinku Sen
Mr. Sagnik Bhattacharya
Ms. R. Parveen ..for the Petitioner

Mr. Asish Kumar Guha
Mr. Rajendra Chaturvedifor the State

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

None appears for the private respondents despite service.

The petitioner alleges that though the petitioner's husband has been paying maintenance to his mother regularly which is received by the private respondents who are the brother in law and sister in law of the petitioner, the petitioner and her husband have been ousted from their residential house illegally and are staying elsewhere. Complaint lodged by the petitioner before the police authority has not been taken care of.

In view of the law laid down by the Hon'ble Supreme Court in the authority in Aleque Padamsee & Ors. Vs. Union of India reported in (2007)6 SCC 171, the petitioner

is at liberty to approach the jurisdictional magistrate for redressal of her grievance.

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 writ 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)