

DL-7
11.06.2026
Court No.37
[Bench ID-**266046**]
(AD)

(Disposed of)

In the High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side
WPA (H) 38 of 2026
Sanjay Kumar Mohanty
Vs.
The State of West Bengal & Ors.

Mr. Dinesh Pani, Advocate
... for the petitioner
Mr. Dibasish Basu, Advocate
Ms. Sneha Dutta, Advocate
... for the State
Mr. Arkadyuti Pahari, Advocate
Ms. Gargi Maity, Advocate
Mr. Alik Mandi, Advocate
... for the respondent no.4.

Mr. Saurov Mallick, Advocate
... for the intervener

1. Petitioner claims that her wife is missing.
2. We passed an order dated June 10, 2026 requiring both the wife of the petitioner and the petitioner to be present in Court.
3. Petitioner and her wife are present in Court.
4. Private respondent is represented.
5. State is represented.
6. Status report submitted by the State be taken on record.
7. Wife of the petitioner through the learned Advocate for the State states that, she left the matrimonial home due to the ill-treatment meted out by the petitioner. She is presently residing in the house of the mother of the respondent no.4.
8. Learned Advocate appearing for the respondent no.4 makes over a photocopy of an affidavit affirmed by the wife of the petitioner before the

Notary Public where, she made the same claim that, she left her house voluntarily on the ill-treatment meted out by the petitioner.

9. Essentially, the petitioner is seeking to convert the writ petition of habeas corpus into a petition for resolution of matrimonial disputes between him and his wife.
10. We enquired in Court as to whether the wife of the petitioner was willing to return with the petitioner or not. The answer was in the negative.
11. We also enquired of the petitioner as to whether, he was willing to pay any maintenance to his wife or not. The answer is that, in the event, the wife returns then only maintenance would be paid. We need not enter into such arena.
12. As noted above, matrimonial disputes are sought to be agitated in this petition of habeas corpus.
13. Wife of the petitioner can longer be treated as missing. She is present in Court.
14. **WPA (H) 38 of 2026** is disposed of.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)