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rkd 24.06.2026
Ct.05

W.P.A. 11856 of 2026

Ruma Roy

-vs-

The State of West Bengal & Ors.

Ms. Rumki Guha

....for the petitioner.

Mr. Suryaneel Das,
Ms. Suchitra Sinha Chatterjee,
Mr. Bhaskar Bhattacharyya

....for the State.

1. Affidavit-of-service filed on behalf of the petitioner is taken on record.
2. In spite of service of notice, respondent no.5 is not represented.
3. By presenting this writ petition, *inter alia*, petitioner has prayed for implementation of the interim order passed on 27th April, 2026 by Chief Judicial Magistrate, Alipore, South 24 Parganas passed in a proceeding initiated under relevant provisions of Protection of Women from Domestic Violence Act, 2005 (hereinafter referred to as "said Act, 2005").
4. Learned advocate representing the petitioner submits that respondent no.5 being step son of the petitioner is trying to dispossess her from the premises in question.
5. Vide interim order dated 27th April, 2026

respondent no.5 was directed not to cause domestic violence upon the petitioner and respondent no.5 was also restrained from dispossessing petitioner from the premises in question. However, said interim order was directed to remain in force till 21st May, 2026.

6. It is contended on behalf of the petitioner that in spite of the interim order dated 27th April, 2026 respondent no.5 is not adhering to the directions contained in the said order.
7. On posing query to the learned advocate representing the petitioner whether interim order passed on 27th April, 2026 still subsists or not, it is submitted that there is no averment made to that extent in the writ petition.
8. However, Mr. Das, learned Additional Government Pleader representing the State respondents has filed a communication dated 24th June, 2026 of Officer-in-Charge, Charu Market Police Station, Kolkata wherein it is disclosed that interim order passed on 27th April, 2026 was extended till 16th July, 2026. Copy of the communication dated 24th June, 2026 is taken on record.

9. However, it appears from the case made out on behalf of the petitioner that virtually petitioner is praying for implementation of the interim order passed by the jurisdictional Authority under the said Act, 2005. High Court while exercising writ jurisdiction under Article 226 of the Constitution of India is not the appropriate forum for implementation of the interim order passed by the jurisdictional Authority in a proceeding initiated under the relevant provisions of the said Act, 2005.
10. If petitioner finds that interim order passed by the jurisdictional Authority under the said Act, 2005 is not being complied with, steps are required to be taken within the four corners of the statute i.e. Protection of Women from Domestic Violence Act, 2005.
11. Hence, writ petition is not entertained and same stands dismissed.
12. Urgent photostat certified copy of the order, if applied for, be given to the parties, upon usual undertakings.

(Saugata Bhattacharyya, J.)