Form No. J (2)

IN THE HIGH COURT AT CALCUTTA
CIVIL APPELLATE JURISDICTION
APPELLATE SIDE

Present:

The Hon'ble Justice Rishad Medora.

W.P.A. 25482 of 2025

Manju Das @ Manju Rani Das.
Vs.
Union of India & Ors.

Mr. Uttam Kumar Pradhan,
Mr. Rafikul Islam Sartdar, ... for the petitioner.

Mr. Tilak Mitra,
Mr. Sourav Sengupta, ... for the respondent nos. 1 to 4.

Mr. Abhimanyu Shandilya,
Mr. Subhendu Sengupta,
Ms. Dhanasree Biswas, ...for the respondent no.6.

Mr. Madhu Jana,
Ms. Simran Sureka, ...for the State.

Heard on : 16.11.2026

Judgment on : 16.11.2026

1. Affidavit-of-service filed in Court today by the petitioner be kept with the records.
2. Learned advocate representing the petitioner submits that the petitioner married the private respondent no. 6 in 2002 and out of such wedlock, a male child was born to them in 2006. He submits that the private respondent no. 6, who was working as a

Havildar in the Indian Army, had nominated the petitioner's name as the sole beneficiary in respect of his retiral benefits.

3. Subsequently, disputes arose between the petitioner and the private respondent no.6 and the petitioner lodged a complaint against the private respondent no.6 and his parents under the provisions of, inter alia, Section 498A of the Indian Penal Code, 1860.
4. Subsequently, such proceeding was withdrawn by the petitioner. However, the petitioner and the respondent no. 6 continued to stay apart.
5. Subsequently, the petitioner has come to learn that the respondent no.6 married somebody else. It is submitted that such marriage is illegal in view of the fact that the petitioner's marriage with the respondent no.6 is still subsisting. Out of the second marriage, a son has been born to the respondent no. 6 and his second wife.
6. Thereafter, on October 17, 2025, the petitioner filed a complaint under Section 12 of the Protection of Women from Domestic Violence Act, 2005 before the learned Additional Chief Judicial Magistrate at Contai against the respondent no. 6 and his parents. The same is still pending.

7. The petitioner also submits that she has filed another case before the learned Additional Chief Judicial Magistrate, Contai under Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 on October 17, 2025 and the same is also pending.

8. On October 11, 2025, the petitioner made a representation to the Commanding Officer, AMC Centre and College, AMC Records, Lucknow, Uttar Pradesh whereby the petitioner has informed the said authority that she has come to learn that the respondent no. 6 is trying to misguide the concerned authorities by affixing his second wife's photo in her Dependent ID Card and he has also created another Dependent ID Card in the name of the son born out of the second marriage.

9. The petitioner is apprehending that she and her son will not get any retiral benefits of the petitioner. Accordingly, learned advocate representing the petitioner submits that the respondent no. 2 should be directed to consider the aforesaid representation dated October 11, 2025.

10. Learned advocate representing the petitioner submits that he is not praying for any other order in this writ petition.

11. Learned advocate representing the respondent nos. 1 to 4 submits that if an order is passed by this Court directing the

respondent no. 2 to consider the aforesaid representation dated October 11, 2025, the same will be considered.

12. In view of the aforesaid fair submissions made on behalf of the respondent nos. 1 to 4, this writ petition is disposed of by directing the respondent no. 2 to consider the representation dated October 11, 2025 submitted by the petitioner to the respondent no.2, which is appearing on page 38 of the writ petition, and dispose of the same within a period of six weeks from the date of communication of this order to the respondent no. 2, in accordance with law.

13. Accordingly, this writ petition, being WPA 25482 of 2025, stands disposed of.

14. There will be no order as to costs.

15. Since no affidavit-in-opposition has been called for, the allegations made in the writ petition are deemed not to have been admitted by the respondents.

16. All parties shall act on a server copy of this judgment and order, duly downloaded from the official website of this Court.

17. Urgent Photostat certified copy of this judgment and order, if applied for, be given to the parties upon compliance with the requisite formalities.

(Rishad Medora, J.)