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jdt. 25.02.2026
jb.

WPA 25571 of 2025
(Bharat Ghosh vs. State of West Bengal & Ors.)

Mr. Ranjan Kali
Mr. Suraj Bhattacharjee
Ms. Mohul Nandy
.... **For the Petitioner**
Md. Bani Israil
Sayed Md. Sayud
.... **For the Private Respondent**
Simanta Kabir
Ms. Indrani Nandi
.... **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 husband of the private respondent and alleges that he has been ousted from his own house and is not allowed to enter therein. The private respondent resides in the house with the son of the parties and he is also not allowed to meet his son. He has been assaulted and threatened by the private respondent and her associates. The complaint lodged by him has not been acted upon.

Denying such allegations, learned counsel for the private respondent submits that it is the petitioner who has been assaulting and torturing the private respondent who was treated at the hospital for her injuries. She has no objection if the petitioner resides in the same house.

It appears from the report submitted by the State that pursuant to the complaint lodged by the petitioner, enquiry has been held. The allegations made by the petitioner have

not been substantiated. The complaint is not accompanied by any injury report.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that there is a severe marital discord between the parties. The private respondent has lodged complaint/cases against the petitioner in this regard. In view of the fact that the house in question admittedly belongs to the petitioner and he intends to reside therein, he shall approach the jurisdictional police intimating them the date and time of his return to his house and the police authority shall render necessary assistance to the petitioner in order to enable him to enter his house and reside there peacefully. Since the petitioner and the private respondent shall be residing in the same house, it is expected that they shall live and allow other person to also live peacefully and shall not disturb the peaceful possession of each other. The police shall render necessary assistance to the petitioner as and when sought.

The writ petition is accordingly disposed of.

There shall be no order as to costs.

Since no affidavit has been invited, allegations contained in the writ petition shall be deemed not to have been admitted.

Urgent certified website copy of the order, if applied for, be given to the parties on compliance of requisite formalities.

(Suvra Ghosh, J.)