

IN THE COURT OF THE JUDICIAL MAGISTRATE, 2nd COURT,
RANAGHAT, NADIA

**Present : Md. Ashok Halder
Judicial Magistrate,
2nd Court, Ranaghat,
Dist- Nadia**

Taniya Seth Petitioner

=VS=

Tapan Kr. Sadhukhan & 2 ors OP/Respondents

Misc case no.290/2024

Dt. 29-06-2024

Today is fixed for report and hearing.
Report received.
The record is taken up for hearing.

Ld. Counsel for the petitioner moves the application for ad-interim application under Section 23 (2) of PWDV Act.

Now the ad-interim application under Section 23 (2) of PWDV Act is taken up for hearing and passing necessary order.

I have heard Ld. Counsel for the petitioner at length on the point of ad-interim application.

Petitioner submits that she is the legally married wife of the Opposite party/Respondent on 15-12-2023 in that wedlock but at present she has taken shelter at her father's place as the OP/Respondent on 08-05-2024 has drove her out. Recently she came to know that the respondent will sale out the property to others, for which with the help of the other residents of the said housing complex, she went to the said property and started residing there. Hence, she prayed for an ad-interim order restraining the respondent from alienating the said property or from dispossessing her from the said property or from creating any disturbance from enjoying the peaceful possession of the said property.

Perused the CR and the documents filed by the petitioner.

It prima facie appears from the petition filed on affidavit by the petitioner and from the documents filed by her that the petitioner is the legally daughter-in-law of the Respondent/OP and it also prima facie appears that the petitioner is staying separately.

Contd....P/2

In the light of the above observation I am inclined to allow the prayer for ad-interim application so that the main object of the enactment of PWDV Act is not frustrated and they can be saved from destitution and vagrancy.

Hence, it is

ORDERED

That the prayer for ad-interim application of the petitioner is hereby allowed exparte in the interest of justice.

The Respondent is hereby restrained from alienating the schedule mentioned property or from dispossessing her from the said property or from creating any disturbance from enjoying the peaceful possession of the said property till the next date.

The Petitioner is directed to issue notice upon the OP/Respondent at once calling upon him to show cause within 7 days from the receipt of the notice as to why the order shall not be made absolute till the disposal of the case.

-----Let a copy of this order sheet be given to the petitioner free of cost.

To **24-09-2024** for filing compliance report by the Petitioner and for SR and appearance by the OP/Respondent and report.

Let a copy of this order be sent to the Women Protection Officer, Nadia and I.C. of the concerned P.S where both parties reside.

Judicial Magistrate
2nd Court Ranaghat

Judicial Magistrate
2nd Court Ranaghat