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jdt. 09.02.2026
jb.

WPA 26769 of 2026
(Prabir Shaw vs. State of West Bengal & Ors.)

Mr. Shyamal Chakraborty
Mr. Debajyoti Mondal
Mr. S. Polley
.... For the Petitioner
Mr. Mujibar Rahaman
Mr. Rameshwar Sinha
.... For the State

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

None appears for the private respondent despite service.

The private respondent is the daughter in law of the petitioner and has been restraining him from entering his own house. The petitioner lodged a complaint before the police authority in this regard on 30th June, 2025 which has not been acted upon.

It appears from the report submitted by the State that two FIRs have been registered pursuant to complaints lodged by the private respondent. However, no step has been taken by the police authority in respect of the complaint lodged by the petitioner. In that event, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS for redressal of his grievance.

Admittedly the house in question belongs to the petitioner. In a report filed by the police authority in

connection with an earlier writ petition filed by the petitioner, it is observed that the house in question is a two storied building consisting of one shop room and three rooms in the ground floor and four rooms in the first floor. Two rooms in the first floor are occupied by the private respondent and the remaining portion of the house is in possession of the petitioner. The petitioner alleges that the private respondent has been residing in the house with her relatives and is obstructing the petitioner from entering thereto.

Since the petitioner is admittedly the owner of the house and intends to return thereto, he should approach the Officer in Charge, Purba Jadavpur Police Station, being the 3rd respondent herein, communicating the intended date and time of his return to his house. The 3rd respondent shall render necessary assistance to the petitioner in order to enable him to return to his house and reside there safely and peacefully without any disturbance from any corner whatsoever. The police authority shall keep strict vigil at the locale and shall depute a police personnel who shall visit the house every alternate day for the next two weeks in order to ascertain whether any cruelty/torture is being meted out upon the petitioner or his possession is disturbed by the private respondent or her associates. The police shall render necessary assistance/protection to the petitioner as and when sought.

The writ petition is 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.)