

**THE HIGH COURT OF TRIPURA
AGARTALA**

WP(C)(PIL) NO.8 OF 2015

Court on Own Motion

- *Vs* -

Sri Sajal Bhattacharjee & Ors.

..... *Respondents*

**BEFORE
HON'BLE THE CHIEF JUSTICE MR. DEEPAK GUPTA
HON'BLE MR. JUSTICE S.C. DAS**

Court on own motion

: Mr. Samarjit Bhattacharjee, *Amicus Curiae*

For respondent No.1

: Mr. S.D. Choudhury, Advocate

Date of hearing and
delivery of
Judgment & order

: **14.07.2015**

Whether Fit for Reporting

Yes	No
	✓

JUDGMENT & ORDER(ORAL)

(Deepak Gupta, C.J.)

We are very happy to note that after intervention by this Court the family members of the widow who was staying at the Old Age Home have admitted their mistake and have said that they are willing to take their mother back with them.

2. We had appointed Sri Samarjit Bhattacharjee to assist us as *amicus curiae*. He has talked to the lady and he has furnished his report. According to him he visited the Home on 12.07.2015 and

met the lady, Smt. Dulo Rani Bhattacharjee. She told Sri Samarjit Bhattacharjee that she will first reside with her younger son, Sri Tapash Bhattacharjee in his rented house at Ramnagar Road No.1 and thereafter she will reside with her younger daughter, Smt. Sikha Bhowmik. She does not want to reside with her eldest son, Sri Sajal Bhattacharjee and second son, Sri Jahar Bhattacharjee but they can meet her at the residence of her younger son, Sri Tapash Bhattacharjee.

3. We cannot force the lady to go to any house other than where she wants to go. We, therefore, permit Sri Tapash Bhattacharjee to take Smt. Dulo Rani Bhattacharjee from the Old Age Home to his residence. We also permit Sri Sajal Bhattacharjee and Sri Jahar Bhattacharjee to meet their mother at the house of Sri Tapash Bhattacharjee. We also permit the elder two sons, Sri Sajal Bhattacharjee and Sri Jahar Bhattacharjee to help their younger brother in maintaining the mother even in case she is not willing to reside with them. Sri Tapas Bhattacharjee may approach the Superintendent of Mahatma Gandhi Memorial Old Age Home, Narshingarh with a copy of this order who shall permit Smt. Dulo Rani Bhattacharjee to go with Sri Tapash Bhattacharjee. We hope and expect that better sense will prevail on all sides including the mother and she will embrace her children into her fold like any forgiving mother should.

4. We place on record our appreciation for the valuable assistance rendered by Sri Samarjit Bhattacharjee not only in Court but also by visiting the Old Age Home on three occasions.

5. In view of the aforesaid developments we dispose of the writ petition in light of the observations made herein above.

JUDGE

CHIEF JUSTICE