

10.09.2021.
Court No.13
Sl. No. 59
pk

W.P.A. No. 2684 of 2020
Srishtidhar Pal
Versus
The State of West Bengal & Ors.
(Through Video Conference)

Mr. Manas Kumar Das
...for the petitioner.

Mr. Joydip Banerjee
..for the State.

The writ petitioner is aggrieved by the fact that notwithstanding the order dated 21.11.2019 passed by the S. D. O., Kandi, Murshidabad under the provisions of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007, the Officer-in-Charge, Burwan Police Station, Murshidabad has not taken any steps. It appears that the Officer-in-Charge, Burwan Police Station was directed to ensure that all parties i.e. the writ petitioner, his son and wife to be represented before the concerned S. D. O.

The Officer-in-Charge, Burwan Police Station, Murshidabad has filed a report dated 26.02.2020 wherein all the statements made by the petitioner are contradicted.

It is submitted in the report as follows :

“As per endorsement, ASI Aminul Islam enquired the matter. During enquiry he had been to village Marut under PS Burwan and meet with the petitioner and

alleged persons, local villagers namely (i) Utpal Pal s/o Sakshigopal Pal, (ii) Subarna Pal s/o Anandagopal Pal & others all of vill. Marut and also meet with the local GP members namely Sukesh Pramanik s/o Biswanath Pramanik of vill. Marut and it came to know that the petitioner Sristidhar Pal not satisfied with his wife during family life due to his wife's illness and the petitioner used to torture his wife. His two sons protested against their mother's torture but no specific case lodged by none. Later the petitioner submitted a false petition against his sons and his wife. During enquiry it also came to know that the petitioner previously filed a petition before Ld. J.M. 1st Class, Kandi, Murshidabad vide Misc. Ex No. 56/17 to get the maintenance amount of old enough to survive and as per order of Ld. Court he gets money from his two sons as old enough to survive."

In that view of the matter, let the S. D. O., Kandi, Murshidabad take up the petitioner's case being no. 8 of 2019 under the MWPSA Act, 2007 and dispose of the same in accordance with the applicable Rules and Law. Due consideration will be made to the report of Burwan Police Station by the S. D. O.

Needless to mention that all parties shall be heard and the report of the Burwan Police Station as above, may be tested before the learned S. D. O.

With the aforesaid observations, the writ petition is disposed of.

There shall be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)