

18.03.2021
p.b.
Sl. No.9.

W.P.A. 7280 of 2021

Gita Bhattacharjee
Vs.
The State of West Bengal & Ors.

Mr. U.S. Chattopadhyay,
Mr. Santanu Maji,
Mr. Sayan Chattopadhyay.
.....for the petitioner.
Mr. Debashis Sur,
Mr. Angshuman Patra,
Ms. Sadhana Bhattacharjee.
.....for the private respondent no.6
Mr. Ashim Kumar Ganguly,
Ms. Sukla Das Chandra.
.....for the State.

The affidavit of service filed in Court today, is kept on record.

Mr. Ashim Kumar Ganguly, learned advocate represented the State respondent.

Mr. Debashis Sur, learned advocate represented the respondent no.6, the private respondent.

The petitioner is the mother-in-law of the sixth respondent. The writ petitioner claims that she had been suffering with severe torture and violences at the behest of the sixth respondent. The writ petitioner made a representation dated December 17, 2020 inter alia, before the Sub-Divisional Magistrate, Public Grievances Cell, Durgapur, Paschim Bardwan, the fifth respondent herein, under the relevant provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 read with

the relevant rules thereunder. The grievance of the writ petitioner is that the appropriate authority being the fifth respondent had not responded to such representation neither any decision had been taken thereon.

Considering the submissions made above and after hearing the learned advocates representing the respective parties, this Court is of the view that justice would be subserved if the fifth respondent is directed to consider the representation dated December 17, 2020 within a time frame.

Accordingly, the fifth respondent is directed to dispose of the said representation of the writ petitioner dated December 17, 2020 being Annexure P-2 to the said writ petition, upon giving an adequate opportunity of hearing to the writ petitioner or her authorised representative upon a prior notice of hearing is at least of seven days and the fifth respondent will then pass his reasoned decision and communicate the same to the writ petitioner forthwith.

The entire exercise as mentioned above, must be carried out by the fifth respondent within a period of six weeks from the date of receipt of this order.

In the light of the above, the present writ petition being W.P.A. 7280 of 2021 stands disposed of.

(Aniruddha Roy, J.)