

14.09.2021
Ct. No.13
Sl. No.124
akd

W.P.A. 12255 of 2021 [via video conference]

[Nemai Roy & Anr. -Vs- The State of West Bengal & Ors.]

Mr. Mrityunjoy Chatterjee
Sk. Toslim Ali

... .. for the petitioners

Mr. Subhrangsu Maiti

... .. for respondent no.7

Sk. Jahadar Alam

... for respondent nos.5 & 6

Mr. Bipin Ghosh

... .. for the State

The writ petitioner no.1 and his elder son namely, Dipak Roy are personally present in Court.

The writ petitioner no.1 has in no uncertain terms reiterated in person that the daughter and son-in-law are assaulting him and making his life miserable in his own house. The writ petitioner no.1 in person has also stated that he has infact gifted the property to his elder son namely, Dipak Roy.

In that view of the matter, the Officer-in-charge, Joypur Police Station shall forthwith escort the respondent nos.5 & 6 namely, Sujata Santra and Sukumar Santra out of the said residence and escort the writ petitioners in. Since the writ petitioner no.1 in person has also stated that he is desirous that his elder son namely, Dipak Roy should stay with him, the said Dipak Roy and his family shall also be escorted into the said premises.

The private respondent nos.5 & 6, who are represented before this court, shall not be permitted to enter into the said residence without the consent in writing of the writ petitioner no.1

countersigned by the Officer-in-charge, Joypur Police Station. The writ petitioner no.1 shall be at liberty to move the SDO under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 to formally record his statement that he has infact gifted the house property to his elder son namely, Dipak Roy. The SDO may take suitable steps in the matter.

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

The petitioners shall serve notice of this order on the Officer-in-charge, Joypur Police Station.

The report filed by the Officer-in-charge, Joypur Police Station on Dipak Roy and his family is taken on record.

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)