

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 429 of 2021

Shaan Mohammad, S/o Late Shri Abdul Sttar, Aged About 62 Years,
Occupation- Retired Peon Bank of Maharashtra, Bilaspur Branch,
R/o Mohalla Karbala Road Juna Bilaspur, District- Bilaspur (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, through Secretary General Administration Department, Raipur (C.G.)
2. Collector, District- Bilaspur (C.G.)
3. Superintendent of Police, District- Bilaspur (C.G.)
4. Thana Prabhari, Aarkchhi Kendra- City Kotwali, Bilaspur, District- Bilaspur (C.G.)
5. Mohammd Haider Ali, S/o Shan Mohammad, Aged About 23 Years, R/o Mohalla Karbala Road, Juna Bilaspur, District- Bilaspur (C.G.)

---- Respondents

For Petitioner : Mr. Abdul Wahab Khan, Advocate.

For State/res. 1 to 4 : Mr. Sudeep Verma, Dy. Govt. Adv.

Hon'ble Shri Justice Narendra Kumar Vyas

Order On Board

14/07/2021

1. The petitioner has filed this writ petition under Article 226 of the Constitution of India alleging that respondent No. 5 is son of the petitioner, is mentally retarded boy and due to use of alcohol, behaves with cruelty with the petitioner and his wife. The petitioner made a representation before Superintendent of Police, Bilaspur on 25.11.2020 with a request to grant him police protection from respondent No. 5.
2. The remedy is available to the petitioner under Section 22 of the Maintenance and Welfare of Parents and Senior Citizens

Act, 2007 (for short "the Act, 2007), which is reproduced as under:-

"22 Authorities who may be specified for implementing the provisions of this Act.- (1)

The State Government may, confer such powers and impose such duties on a District Magistrate as may be necessary, to ensure that the provisions of this Act are properly carried out and the District Magistrate may specify the officer, subordinate to him, who shall exercise all or any of the powers, and perform all or any of the duties, so conferred or imposed and the local limits within which such powers or duties shall be carried out by the officer as may be prescribed.

(2) The State Government shall prescribe a comprehensive action plan for providing protection of life and property of senior citizens."

3. Learned counsel for the petitioner submits that he wants to submit representation before the State authorities as per the Act, 2007 and prays that the State authorities may kindly be directed to decide the same in accordance with law.
4. In view of the submission made and as per Section 22 (1) of the Act, 2007, the petitioner is directed to submit representation before District Magistrate, Bilaspur, who in turn, decide the representation of the petitioner in accordance with law.
5. With these observations and directions, this writ petition stands disposed of.

Sd/-
(Narendra Kumar Vyas)
Judge