

20.01.2022.
Court No.13
Item No. 8
ap

**W.P.A. No. 2060 of 2021
(Through Video Conference)**

**Sri Nikhil Kumar Pal
Versus
The State of West Bengal & Ors.**

Mr. Debasish Das.

...For the petitioner.

Mr. Angshuman Chakraborty,
Mr. Shashanka Sekhar Saha.

...For the respondent no.9.

Mr. Ashim Kumar Ganguly,
Ms. Karabi Roy.

..For the State.

Mr. Protim Chakraborty.

...For the Prodhan.

The writ petitioner has used an objection to the report of the A.D.S.R., Mollarpur, Birbhum as regards the value of assets standing in the name of the respondent no.9. A.D.S.R., Mollarpur, Birbhum in turn has used a reply to such objection. The same are kept with the record.

Having heard the learned Counsels for the respective parties at length, this Court appreciates that Mr. Das, learned Counsel appearing for the petitioner has used his good office to prevail upon his client to pay a sum Rs.5,000/- (Rupees five thousand only) per month towards maintenance and in addition thereto all other medical expenses, on actuals, to the respondent no.9, mother.

The arrears of the amount payable to the respondent no.9 at the rate of Rs.5,000/- per month

together with medical expenses as directed hereinabove, shall be effective from August, 2021. Such arrears amounts must be paid within a period of two months from date.

The writ petitioner shall continue to pay the same during the lifetime of his mother. The impugned order dated 6th February, 2020 passed by the Chairman, Maintenance Tribunal, under the Maintenance & Welfare of Parents & Senior Citizen Act, 2007 & Sub-Divisional Magistrate, Rampurhat, Birbhum, shall stand modified as above.

Subject to compliance with the above, the cancellation of the Deed of Gift as ordered by the Sub-Divisional Officer, Rampurhat shall remain stayed.

It is further made clear that in default of payment of the aforesaid sum of money or any part or portion thereof, the respondent no.9 shall be entitled to move for execution of the order of the Sub-Divisional Officer, Rampurhat for setting aside of the Deed of Gift.

Upon default be established the SDO may order the remaining 10 bighas of lands out of the Deed of Gift to revert to the respondent no.9/mother automatically.

The parties may approach the Sub-Divisional Officer, Rampurhat for execution of this order.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)