

S/L 45
13.06.2022
Court. No. 19
GB

WPA 3568 of 2022

Sekh Aalamgir
VS
The State of West Bengal & Ors.

Mr. Rameshwar Sinha.

...for the Petitioner.

*Mr. Subhabrata Datta,
Mr. Abdus Salam.*

...for the State.

Affidavit-of-service filed in Court today, be kept with the record.

The petitioner is the father of the respondent nos.5 and the father-in-law of the respondent No. 6. A complaint was lodged before the Inspector-in-Charge, Domjur Police Station alleging torture by the respondent nos.5 and 6. The petitioner states that as the torture by the respondent nos.5 and 6 had become intolerable, the petitioner along with his wife was forced to leave his residence and reside elsewhere.

The police authorities have filed a report, from which it appears that the police authorities had enquired into the matter and a report for prosecution under Sections 107/116(3) of the Code of Criminal Procedure had been submitted, directing the parties to maintain peace and tranquillity.

Under such circumstances, as the police authorities have already indicated that assistance would be given to the petitioner in case of any complaint, the writ petition is disposed of with liberty to the petitioner to approach the police authorities with a prayer for assistance to enter his

house. If the police authorities find that the petitioner is the rightful owner of the property in question, the petitioner shall be put in possession by the police authorities. The remedy of the petitioner before the Maintenance Tribunal under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, is kept open.

This order shall not be construed as a decision on the right, title and interest of the respective parties with regard to the property in question.

Accordingly, the writ petition is disposed of.

However, there will be no order as to costs.

All the parties are directed to act on the basis of the server copy of this order.

(Shampa Sarkar, J.)