

S/L 11
7.6. 2022
Court. No. 19
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WPA 4930 of 2021

Swapna Debgupta
Vs.
The State of West Bengal & Ors.

Mr. Tapas Bhattacharyya
Mr. Aviroop Bhattacharyya
Mr. Bishnu Prosad Sinha Roy
... for the Petitioner

Mr. Prosenjit Debnath
..for the respondent no.5

Ms. Jayeeta Sinha
Mr. Sandip Mondal *... for the State.*

The learned advocate for the petitioner submits that the respondent no.5 was not willing to allow the petitioner to enter into residential house. The petitioner was forced to reside with her daughter. The petitioner does not want to continue to stay with her daughter and prefers to reside with her son.

Learned advocate for the State respondents submits that there is a private dispute between the parties and the police authorities cannot intervene in the matter.

Mr. Debnath, learned advocate for the respondent no.5 submits that the son is willing to keep the mother. The mother had herself decided to live with the daughter.

The petitioner now wants to live with her son and has expressed such willingness. The respondent

no.5/son is also willing to take back his mother. Thus no order need be passed by this Court save and except that the mother may return to her son's house at Bishalkshmitala, Brahminpara, Post Office Khalisani, Police Station Bhadreswar, District Hooghly.

The police authorities shall render all assistance, if requested by the petitioner, for such entry into the house of the respondent no.5.

The further remedy of the petitioner, if any, against the respondent no.5 would be under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

However, as the son is willing to take back his mother and the mother prefers to reside with the son rather than with the daughter, the Court cannot come in the way.

The respondent no.5 is apprehensive that the sister may cause trouble and as such on the assurance of Mr. Bhattacharjee that his client shall not interfere in the day to day life of the mother and the respondent No.5, no directions are required to be passed against the daughter of the petitioner.

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.)