

15.06.2022  
Court No. 19  
Item no.47  
CP

WPA No. 7238 of 2022

Smt. Bhabani Chatterjee  
Vs.  
The State of West Bengal & ors.

Mr. Keshab Chandra Das  
Ms. Aparajita Mondal  
Mr. Biplab Adak

....for the petitioner.

Mr. Amitesh Banerjee, Sr. St. Counsel  
Mr. S. Adak

....for the State.

Mr. Ankit Agarwala  
Ms. Alotriya Mukherjee  
Mr. Robin Basu

...for the respondent nos. 4 & 5.

There appears to be a dispute between the petitioner and the respondent nos. 4 and 5 who are the son and grandson of the petitioner.

The petitioner apprehends that the said respondents would cause bodily harm and injury to the petitioner.

Admittedly the petitioner resides elsewhere.

Although, the police authorities have enquired into the petitioner's complaint and have filed prosecution under Section 107/106(c) of the Cr.P.C. against the respondent nos. 4 and 5, this court is of the view that the old lady must be protected to the extent that a vigil must be maintained to ensure that

the respondent nos. 4 and 5 do not cause any harm to the petitioner.

It is undertaken by Mr. Agarwal, learned advocate appearing on behalf of the respondent nos. 4 and 5, that the petitioner will always be welcome to reside at the ground floor of the premises situated at Baidyapur, Tarakeswar, i.e. in the original residential house, without any disturbance. The petitioner shall reside on the ground floor of the premises.

The proceeding which has been initiated by the petitioner before the Maintenance Tribunal shall continue without being impacted by this order. This order shall be subject to further orders that may be passed by the Maintenance Tribunal or other fora.

The writ petition is disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

**(Shampa Sarkar, J.)**