

12-09-2022

ct no. 13

Sl.18

sp

WPA 9281 of 2022

Gouri Paul & Anr.

-Versus-

State of West Bengal & Ors.

Mr. Ranjan Kumar Kali

....for the petitioners

Ms. Sipra Mazumdar,

Mr. Saugata Ray

....for the State

Mr. Ayan Banerjee,

Mr. Soumo Chaudhary

...for the respondent nos. 4 and 5

The petitioners claim to be the senior citizens being harassed by the private respondents, son and daughter-in-law, being respondent nos. 4 and 5. It appears from the submissions made by the parties that the mother had gifted a portion of her property to the son and daughter-in-law. At the relevant point of time the daughter also surrendered her share in the property in favour of the son. The mother continued to retain her share of the property. The mother's share of property has now been gifted to the daughter.

The private respondents, son and daughter-in-law represented by Mr. Ayan Banerjee, learned counsel. He submits that they shall take care of

the mother in all respects and wants her to live with them.

The petitioners' mother shall, therefore, go back and live with the respondent nos. 4 and 5. The 4th and 5th respondent shall take all care of the mother including the medical treatment and other needs.

The Officer-in-Charge, Noapara Police Station shall keep a strict vigil in the said area.

This Court has no doubt in its mind that the instant writ petition has been engineered by the daughter to seek entry in the house. The remedy of the daughter who is not a senior citizen is before an appropriate Civil Court.

For making false statements and abusing the process of this Court, costs of Rs. 5,100/- are imposed on the petitioner no. 1 daughter that shall be payable to the respondent no.4.

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

There shall 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.)

