

03.11.2022.
Court No.13
Item No. 46
pk

W.P.A. No. 17556 of 2022
Smt. Archana Haldar
Versus
State of West Bengal and others

Mr. Amit Singh,
Mr. Ajay Kumar Shaw

...For the petitioner.

Sk. Md. Galib,
Ms. Subhra Nag

...For the State.

It is submitted that the petitioner is being tortured by her son and daughter-in-law. The petitioner owns the property-in-question and her husband is bed-ridden.

Counsel for the State submits that the son/private respondent is a driver and he stays in the rooftop of the house.

The complaints and FIRs registered at the instance of the petitioner against the private respondents have resulted in a charge sheet. Likewise a complaint of the private respondent/wife under Section 498A has also resulted in a charge sheet.

Now it is well settled that the children of a senior citizen living in her house are at best "licensees".

This Court, therefore, directs the private respondents not to disturb the peaceful existence of the petitioner.

In the event Titagarh Police Station receives any further complaint from the petitioner, they shall take coercive steps against the private respondents.

In the event, despite coercive steps the private respondents continue to harass the petitioner and her husband, Titagarh Police Station shall be entitled to remove and/or escort the private respondents from the residence of the petitioner. Titagarh Police Station shall issue suitable warnings to the private respondents.

With the aforesaid observations, the writ petition is disposed of.

The instructions of the O. C., Titagarh Police Station is taken on record.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)