

03.11.2022.
Court No.13
Item No. 75
pk

W.P.A. No. 18079 of 2022
Smt. Aloka Samanta
Versus
State of West Bengal and others

Mr. Chinmay Pal,
Mr. Archan Dutta
Ms. Aditi Bhattacharya

...For the petitioner.

Mr. Md. Jalile,
Mr. Anupbrata Santra

...For the State.

Despite service of notice, private respondents are not represented. Affidavit of service is taken on record.

It appears that petitioner's late husband has 22 bighas of land, of which the petitioner has received 10 bighas and the other 12 bighas are divided between her sons.

It is submitted that being unable to bear torture from her sons the petitioner is presently living with her daughter and son-in-law. The petitioner alleges that the sons are forcibly cultivating the land belonging to her.

Bhatar Police Station has registered FIR on the petitioner's complaint being No.311 of 2022 dated 14.08.2022. Let the investigation be expedited.

The local SDM has also been notified by the Bhatar Police Station. The SDM concerned shall immediately initiate proceedings under the

Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

Officer-in-charge, Bhatar Police Station shall escort the petitioner back to her residence in the ground floor of the building. The locks on the doors shall be broken by the police. The petitioner may be accompanied by her daughter and son-in-law, who shall take care of her. The entire costs of her treatment and maintenance shall be borne by the respondent no.4 and her other sons until a suitable decision is taken by the SDM under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

For the aforesaid purpose, the petitioner and her daughter shall report to the Bhatar Police Station on an agreeable date and time.

In the event, the petitioner complains of any harassment by the respondent nos. 4 to 7 or any of their family members, immediate coercive steps shall be taken by the Bhatar police station against the said respondents. Officer-in-charge, Bhatar Police Station shall also ensure that the respondent no.4 and her other sons pays for maintenance and medical bills of the writ petitioner.

Bhatar Police Station shall keep regular vigil on the petitioner's property. Any complaint of any harassment by the private respondents shall be forthwith attended by the Bhatar Police Station.

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

Instructions of the Officer-in-charge, Bhatar Police Station dated 15.08.2022 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.)