

31<sup>st</sup> October, 2022  
(D/L No.23)  
(SKB)

**W.P.A. 19871 of 2022**

Bijoy Kumar Aich  
-Versus-  
The State of West Bengal & another

Mr. Dhiman Ray,  
Mr. Dip Chanda  
... for the petitioner.

Mr. Amal Kumar Sen,  
Mr. Lal Mohan Basu  
... for the State.

The affidavit of service is kept on record.

The grievance of the petitioner, who is a senior citizen and has been ousted from his home by his daughter-in-law, is simply that an appeal preferred by the petitioner before the District Magistrate, South 24 Parganas at Alipore from an order of the Sub-Divisional Officer, should be disposed of within a reasonable period of time.

The appeal was preferred on 5<sup>th</sup> October, 2021 and the petitioner received a notice of hearing on 22<sup>nd</sup> March, 2022. The last hearing took place on 5<sup>th</sup> April, 2022.

Although Section 16(6) of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 does not fix a time limit within which the Appellate Tribunal shall pronounce an order in writing and uses the expression “shall make an endeavour .....”, it is only

fair that the petitioner is served with a copy of the order pursuant to hearing in the appeal.

W.P.A.19871 of 2022 is accordingly disposed of with a direction on the District Magistrate, South 24 Parganas at Alipore being the respondent no.2, to dispose of the appeal and pronounce the order within four weeks from today and not later than 30<sup>th</sup> November, 2022. Copies of the order shall be served on all the parties. The District Magistrate shall be at liberty of hearing the parties, if it is required, but the order shall be pronounced within the time stipulated.

**(Moushumi Bhattacharya, J.)**