

05.12.2022
Court No.13
Item No.28
AP

WPA 20158 of 2022
Laxmi Kanta Roy
Vs.
The State of West Bengal & Ors.

Mr. Angshuman Chakraborty
Mr. S.S. Saha

... For the Petitioner.

Mr. Debasish Ghosh
Mr. Domingo Gomes

... For the State.

Despite service of notice, the private respondents are not represented. Affidavit of service filed in Court today is taken on record.

The writ petitioner complains against the private respondent Nos.6 and 7 being his son and daughter-in-law respectively. The writ petitioner is a pensioner and is residing on the first floor. The private respondent Nos.6 and 7 are residing on the ground floor. The private respondents are harassing the petitioner to coerce him to execute a gift deed of the property in their favour. The private respondents have disconnected electricity and water supply to the first floor of the premises where the petitioner is residing with his wife.

The complaint of the petitioner dated 5th August 2022 was inquired into by the Madhyamgram Police and proceedings under Section 107 of the CrPC have been taken out. Since after the said proceeding, the petitioner has complained on two occasions i.e. on 16th August 2022 and 17th August 2022 against the private respondents of being beaten up and abused in public by the private respondents.

In view of the above, this Court directs the Madhyamgram Police Station to depute a sufficiently senior officer along with a lady officer to the residence of the private respondents to issue sufficient and stern warning to them. A bond may be obtained from the private respondents under Section 110 of the CrPC.

In the event of any further substantial complaint from the petitioners, the Madhyamgram Police shall register FIR and shall take coercive measures against the private respondents. The Madhyamgram Police shall also maintain daily vigil over the petitioner's residence for a sufficient period of time.

The petitioner may also approach the concerned S.D.O. under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 for appropriate maintenance against the son and daughter-in-law.

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

There shall be no order as to costs.

The report of the I.C., Madhyamgram Police Station dated 09.09.2022 is taken on record.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)