

05.12.2022
Court No.13
Item No.30
AP

WPA 20526 of 2022

**Shib Shankar Singh and Anr.
Vs.
The State of West Bengal & Ors.**

Mr. Tarique Quasimuddin
Mr. Abbas Ibrahim Khan
Ms. Meena Shabnam

... For the Petitioners.

Mr. Tapon Kumar Mukherjee
Mr. Nilotpal Chatterjee
Ms. Tuli Sinhas

... 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 petitioners complain that their elder son Raj Kumar Singh and daughter-in-law Saroj Singh have been inflicted torture upon them. Two of the petitioners' sons live with them. The petitioners have no grievance against the younger son.

It is further submitted that the said elder son has illegally constructed rooms on the roof of the building without any permission from local authorities. The petitioners have complained to Sarsuna Police Station repeatedly.

Learned counsel for the State has produced a report in the form of instructions issued by the O.C., Sarsuna Police Station addressed to the learned State Advocate and the same is taken on record.

It appears from the report that proceedings under Section 107 of the Cr.P.C. have been initiated against the private respondents.

Sarsuna Police is hereby directed to depute a competent officer to sufficiently warn the private respondents against any threat or intimidation to the petitioners.

In the event of any further substantial complaint from the petitioners, Sarsuna Police Station shall register an FIR and take appropriate steps including coercive measures against the private respondents. Sarsuna Police Station shall also maintain a strict vigil in the residence of the petitioners.

In the event of any further claims against the private respondents the petitioners may approach the Maintenance Tribunal under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 and or a Civil Court.

The grievance of illegal construction against the Municipal Authorities may be pursued by the petitioners in a separate proceeding.

With the aforesaid directions, the writ petition is 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.)

