

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12571 of 2015

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Shrikant Giri son of Sri Bhagwan Giri, Resident of Village- Tarwara, P.O.-
Tarwara, P.S.- Gautambudh Nagar, Tarwara, District- Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home,
Government of Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Superintendent of Police, Siwan.
4. Officer-in-Charge, Gautambudh Nagar Police Station, District- Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Raju Giri, Adv.
	:	Mr. Harsh Vardhan, Adv.
For the Respondent/s	:	Mr. Ranvijay Singh, AC to SC-23.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State

2. The present writ petition has been filed by the petitioner seeking direction to the respondents to effect actual possession by providing adequate police protection on the land measuring 1 Katha 11.5 dhur and 10 dhurki bearing Khata No.309, Survey No.1381, situated at Village-Tarwara, P.S. Gautambudh Nagar, District Siwan, in regard to which the title has been decided by the learned court below in Title Appeal No.127 of 1998 vide judgment and decree dated 17.02.2005 and 04.03.2005 passed by the learned VI Additional District & Sessions Judge, Siwan in favour of the petitioner.



3. Learned counsel for petitioner submits that petitioner is an old aged person and comes within the category of senior citizen and this fact that has been brought on record by virtue of supplementary affidavit filed by the petitioner. He further submits that orders of the different courts are in favour of petitioner but anti-social elements are disturbing him.

4. Learned counsel for the State submits that the petitioner has already remedy before the different authorities under different law.

5. Upon going through the pleadings and hearing the parties, this Court is of the view that petitioner has remedy under Rule 22 of the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012 Published in Bihar Gazette 471 dated 12th September, 2012 prepared in the light of Section 56 of the Central Act, 2007 which are as follows :-

22. Action plan for the protection of life and property of Senior Citizens. - (1) The District Superintendent of Police and in the case of cities having a Police Commissioner, such Police Commissioner shall take all necessary steps, subject to such guidelines as the Government may issue from time to time for the protection of life and property of senior citizens.

(2) Without prejudice to the generality of sub-rule (1):



(i) each police station shall maintain an up-to-date list of senior citizens living within its jurisdiction, especially those who are living by themselves (i.e. without there being any member in their household who is not a senior citizen);

(ii) a representative of the police station together as far as possible, with a social worker or volunteer, shall visit such senior citizens at regular intervals of at least once a month, and shall, in addition, visit them as quickly as possible on receipt of a request of assistance from them;

(iii) complaints/problems of senior citizens shall be promptly attended to, by the local Police;

(iv) one or more Volunteers' Committee(s) shall be formed for each Police Station which shall ensure regular contact between the senior citizens, especially those living by themselves, on the one hand, and the police and the district administration on the other;

(v) the District Superintendent of Police or, the Police Commissioner as the case may be, shall cause to be publicized widely in the media and through the Police Stations, at regular intervals, the steps being taken for the protection of life and property of senior citizens;

(vi) each Police Station shall maintain a separate Register containing all important particulars relating to offences committed against Senior



Citizens as in Annexure IV;

(vii) the Register referred to in clause (vi) shall be kept available for public inspection, and every officer inspecting a Police Station shall invariably review the status as entered in the Register;

(viii) the Police Station shall send a monthly report of such crimes to the District Superintendent of Police by the 10th of every month;

(ix) list of Do's and Don'ts to be followed by senior citizens, in the interest of their safety will be widely publicized;

(x) antecedents of domestic servants and others working for senior citizens shall be promptly verified, on the request of such citizens;

(xi) community policing for the security of senior citizens will be undertaken in conjunction with citizens living in the neighborhood, Residents' Welfare Associations, Youth Volunteers, Non-Government Organizations, etc;

(xii) the District Superintendent of Police shall submit to the Director General of Police and to the District Magistrate, a monthly report by the 20th of every month, about the status of crimes against senior citizens during the previous month, including progress of investigation and prosecution of registered offences, and preventive steps taken during the month, as in Annexure V;

(xiii) the District Magistrate shall cause the report



to be placed before the District level Committee constituted under rule 24;

(xiv) The Director General of Police shall cause the reports submitted under clause (xii) to be compiled, once a quarter, and shall submit them to the Government every quarter as well as every year for, inter-alia, being placed before the State Council of Senior Citizens constituted under rule 23.

6. In this view of the matter, the petitioner is directed to file application under Rule 22 of the Bihar Maintenance & Welfare of Parents & Senior Citizens Rules, 2012 before the Superintendent of Police, Siwan within four weeks from today and the Superintendent of Police, Siwan is directed to do all the needful as mentioned in the said rule for the protection of life and property of the petitioner within two weeks from the date of filing of representation before him.

7. With this direction and observation, the present writ petition stands disposed off.

(Dr. Anshuman, J.)

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