

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10275 of 2023

Dr. Girijesh Kumar Son of Late Indradeo Singh, Resident of Mohalla-
Lakhibag, Manpur, Post- Buniyadganj, Police Station- Mofassil, District-
Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar.
2. The District Magistrate, Gaya.
3. The Director General of Police, Bihar.
4. The Senior Superintendent of Police, Gaya.
5. The Sub Divisional Officer, Gaya.
6. The Officer-in-charge, Mufassil Police Station Gaya.
7. Sudhanshu Shekhar Son of Dr. Girijesh Kumar (Petitioner), Resident of
Mohalla- Lakhibag, Manpur, Post- Buniyadganj, Police Station- Mofassil,
District- Gaya.
8. Chunni Kumari Wife of Sudhanshu Shekher, Resident of Mohalla-
Lakhibag, Manpur, Post- Buniyadganj, Police Station- Mofassil, District-
Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kumar Dharendra Pratap Singh
For the Respondent/s : Mr.Md. Nadim Seraj (Gp 5)

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-11-2023 Heard the parties.

2. This application has been filed on behalf of the
petitioner seeking a direction to the respondent authorities to
ensure safety and security of the petitioner and to get the house
of the petitioner vacated by his son who has forcefully occupied
the same.

3. The following order was passed in C.W.J.C. No.
16211 of 2022:-



"The present writ petition has been filed seeking the following reliefs :-

" (i) For issuance of writ in the nature of Mandamus or any other appropriate writ/ order/ direction/ to the respondents to ensure safety and security of petitioner (senior citizen) and to get petitioner's house bearing property no. 711023940, New Holding No. 016, Old Holding No. 015, in Ward No.52, in District Gaya be vacated from forceful occupation of petitioner's son namely Sudhanshu Shekher who is constant threat to the life of petitioner and has made petitioner's life extremely miserable and difficult to live in his own house peacefully.

(ii) For issuance of writ in the nature of Mandamus or any other appropriate writ/ order/ direction to respondents to take immediate action in the matter of proper protection to the life, property and dignity of the petitioner (a senior citizen) who wants to live peacefully the remaining part of the last phase of his life. "

*At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the competent authority/ Court designated under the **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**, for redressal of his aforesaid grievances. Liberty so sought, is granted.*

The writ petition stands disposed off. "

4. Learned counsel for the petitioner submits that despite his best efforts the respondent No. 7 and 8 are avoiding appearance before the Tribunal and therefore the matter is not being decided.

5. This application is disposed of with a direction to the Sub-Divisional Officer, Gaya-cum-the Competent Authority under the **Maintenance and Welfare of Parents and Senior**



Citizens Act, 2007 to dispose of the application of the petitioner within two months from the date of receipt/communication of a copy of this order.

6. The Tribunal will proceed ex-parte against the non-cooperating party i.e. respondent Nos. 7 and 8. The Tribunal is also directed to consider the feasibility of passing any interim order during pendency of this application.

7. With the aforesaid directions, this application is disposed of.

8. Let a copy of this order be communicated to the District Magistrate, Gaya through FAX and e-Mail for its compliance forthwith.

9. The Tribunal is directed to file a compliance report in this Court after two months.

(Sandeep Kumar, J)

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