

15.03.2023.
Court No.13
Item No. 20
ap

W.P.A. No. 1753 of 2023
Swapna Bhandari
Versus
The State of West Bengal & Ors.

Mr. Tanmay Basu,
Mr. Abhijit Naskar,
Mr. Debdip Mondal.

...For the petitioner.

Mr. Asish Kumar Guha,
Mr. Naren Ghosh Dastidar.

...For the State.

Mr. Kamalesh Jha,
Ms. Srabani Biswas.

...For the respondent no.5.

The petitioner complains that her son and daughter-in-law are trying to throw her out of the premises-in-question.

It is complained that the son does not maintain her. The son claims that the deceased husband of the petitioner has gifted the entire property to him. The petitioner has two daughters.

The petitioner complains that she is confined to one room of the first floor of the house. She is extremely uncomfortable thereat.

The private respondents deny the allegations of the petitioner.

It is submitted that he is taking care of his mother. He complains of rude behaviour by the mother towards the other relatives.

This Court has carefully considered the rival contentions of the parties. If the petitioner or anybody

else has any grievance with regard to the gift of the property to the son, they may take appropriate steps in accordance with law before the appropriate forum.

The private respondent/son shall continue to take care of food, clothing and all medical facilities required by the petitioner. The meagre pension received by the petitioner is not enough for her sustenance. The petitioner shall be entitled to her daughters' visiting and staying with her to take care of her, the son shall not object to the same.

The petitioner shall stay exclusively on the entire first floor of the house, during her lifetime. The son and his family members shall exclusively stay on the ground floor of the said house. The petitioner also undertakes before this Court to maintain peace at home.

Counsel for the State submits that police have taken appropriate steps in accordance with law. This Court sees that there is no inaction on the part of the police.

The report of the Inspector-in-charge, Kalyani Police Station, Ranaghat Police District dated 7th February, 2023 be taken on record.

With the aforesaid directions, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)