

28.06.2023
Court No.13
Item No.25
pk

WPA 2342 of 2023

**Gouribala Barman
Vs.
The State of West Bengal and Ors.**

Mr. Lakshmi Nath Bhattacharya,
Mr. Rajib Kumar Acharyya
... For the Petitioner.

Ms. Chaitali Bhattacharya
Mr. Manas Kumar Sadhu
... For the State.

Mr. Sajal Kumar Ghosh
... For the respondent nos. 8 to 10.

1. Affidavit of service filed in Court is taken on record.
2. The petitioner complains that her son and daughter-in-law have regularly tortured her since 2020. On the last occasion, the petitioner was assaulted and was on the verge of being killed.
3. Nandakumar Police Station has registered FIR in the year 2018 being P. S. Case No. 228 of 2018 dated 02.07.2018. Investigation has been completed and the Charge Sheet No. 289 of 2018 dated 28.09.2018 under Sections 448/323/325/427/506/34 has been filed.
4. The principal grievance of the petitioner was that the private respondents/son and daughter-in-law forcibly obtained her signature on a deed of gift of the petitioner's property in their favour.
5. The petitioner shall be entitled to apply before the SDM under the provisions of the Welfare of Parents

and Senior Citizens Act, 2009 to seek cancellation of the said gift deed.

6. In the event such application was made within a period of one month, the concerned SDM shall try to dispose of the same in accordance with law within three months thereafter.
7. Nandakumar Police Station shall escort the petitioner back into the residence. For the purpose of returning to her house, the petitioner may approach the O. C., Nandakumar Police Station on 01.07.2023 at 11.00 a.m.
8. Let formal FIR be registered in respect of a complaint dated 11.01.2023 annexed at P-1 of the writ petition. Let investigation be completed within a period of two months from date.
9. The private respondents are warned against causing any harm, obstruction or disturbance to the petitioner while she is residing in the house. The officials of the Nandakumar Police Station shall personally issue warnings to the private respondents and communicate this order to them.
10. It is made clear that in the event of any further complaint from the petitioner, appropriate enquiry shall be caused by the Nandakumar Police Station and coercive measures shall be taken against the private respondents/son and daughter-in-law.

11. Nandakumar Police Station shall depute a lady constable to visit the residence to ascertain the welfare of the petitioner, from time to time.
12. Report of the Police is kept with the record.
13. The writ petition is disposed of.
14. There will be no order as to cost.
15. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)