

15.03.2023
Court No.13
Item No.23
AP

WPA 2624 of 2023

Gopal Chandra Mal
Vs.
The State of West Bengal and Ors.

Mr. Krishna Keshab Paul

... For the petitioner.

Mr. Biswabrata Basu Mullick
Mr. Sayan Ganguly

... For the State.

Despite service of notice the private respondents/son and daughter-in-law are not represented. Affidavit of service filed in Court today is taken on record.

The petitioner claims that the private respondents/ son and daughter-in-law, who are staying on the ground floor of the premises indicated by him, continued to inflict torture and harass him. The petitioner runs a small business for living. The private respondent/ son and daughter-in-law insist that he transfers the property in their favour. The petitioner is not inclined to do so during his lifetime.

Learned counsel for the State has produced a report dated 28th February, 2023 issued by the Officer-in-Charge, Bally Police Station and the same is taken on record.

It appears that on the petitioner's complaint Bally Police have registered FIR being Bally Police Station Case No.96/21 dated 10th May, 2021. Investigation has been

completed and Charge Sheet No.109/21 dated 31st May, 2021 has been filed under Sections 341, 506, 34 of the IPC and provisions of the Maintenance and Welfare of Parents and Senior Citizens Act.

The Bally Police submits that inquiries have been made. It is found that there is now peace and the petitioner and private respondents/son and daughter-in-law are living separately.

The Bally Police shall continue to maintain regular vigil on the premises and shall attend immediately to any complaint of the petitioner. Due inquiries shall be made and, if necessary, coercive steps shall be taken against the private respondents/son and daughter-in-law. This Court directs as such since there is a charge sheet filed against them and there is prima facie evidence of the allegations of the petitioner against the private respondents.

With the aforesaid directions, the writ petition shall stand 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.)