

19-06-2023
ct no. 13
sl. no. 1
sp

WPA 6880 of 2022

Latika Ghosh

-Versus-

State of West Bengal & Ors.

Mr. M. Thakur,
Mr. A.J. Sengupta

...for the petitioner

1. Despite service of notice, the private respondent no. 6/younger son, Ajoy Ghosh and the private respondent no. 7/daughter-in-law, Smt. Patomita Ghosh are not represented.
2. The petitioner was staying with the younger son all along. She claims that she was expelled from 2 rooms in the portion occupied by the younger son and a wall has been constructed in the middle of the house separating the younger son's portion from that of the older son.
3. The Uluberia Police have filed a report dated May 4, 2023 indicating that on the petitioner's allegation of expulsion, an FIR being Uluberia PS Case No. 397 of 2021 dated 18.12.2021 has been registered. Investigation has been completed and charge sheet No. 40 of 2022 dated 09.03.2022 under Sections 323/406/506/34 of the IPC and Section 24 of

the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 has been filed.

4. It is ordered that the charge sheet is put to committal and the trial commences as expeditiously as possible.
5. The petitioner's rights in respect of the 2 rooms she was expelled from, which is occupied by the younger son, shall continue to remain.
6. Since the petitioner is otherwise comfortable and living with the older son, this Court is not inclined to order any coercive measures against the younger son.
7. The police shall ensure that the two rooms the petitioner was occupying within the portion of the property occupied by the younger son shall be kept locked.
8. The petitioner shall have access to the two rooms and go there whenever she wants to.
9. The Uluberia Police shall, if necessary, break open the wall to a limited extent to enable the petitioner to access her two rooms.
10. For the aforesaid purpose, the petitioner may engage appropriate persons to enable the Uluberia Police Station to carry out the aforesaid order.

11. With the aforesaid observations, the instant writ petition shall stand disposed of.
12. There shall be no order as to costs.
13. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)