

August 30, 2023
AD 6
Court No.14
SG

WPA 18450 of 2023

Sk. Abdul Deyan @ Sk. Abdul Daiyan
vs.
The State of West Bengal and others

Mr. Mukteswar Maity
Ms. Manika Sarkar
... for the petitioner

Mr. Suman Sengupta
Ms. Amrita Panja Moulick
... for the State

Affidavit of service filed in Court is taken on record.

No one appears on behalf of the private respondents.

Learned advocate for the petitioner submits as follows. The respondent No.4 is the son of the petitioner and the respondent No.5 is a person who looks after the wellbeing of the petitioner. The petitioner is the owner of the property in question. As his son was not looking after him and was not giving any maintenance, the petitioner took the help of the respondent No.5 for taking his care. After the petitioner gifted away a portion of the property to the respondent No.5, the torture meted out by the respondent No.4 increased. Some protection may be granted so that the petitioner so that he can live his life peacefully at his own property.

Learned advocate for the State relies on a report, which is taken on record and submits as follows. A local shalish had taken place pursuant to which the respondent No.4 has given some money to the father on

an understanding that the gift deed will be cancelled and he is also paying monthly maintenance. This is, otherwise, a family dispute. However, after receiving a complaint from the petitioner, a proceeding was drawn up under Section 107 of the Code.

It appears that there is a dispute between the father and the son over the property which belongs to the father.

It further appears that the police authorities have already taken action on initiating a proceeding under Section 107 of the Code on the complaint made by the petitioner.

Thus, no further order need be passed in this regard.

Let the police authorities keep a vigil at the area and ensure that no breach of peace takes place.

With the aforesaid observations, the writ petition is disposed of.

Urgent certified copy of this order, if applied for, be supplied to the parties upon compliance of all requisite formalities.

[Jay Sengupta, J.]