

Ct. 05
Item No.8 & 9
16.03.2023
(Suvendu)

WPA 19429 of 2022

Smt. Golapi Das
Vs.
Sub Divisional Officer and Tribunal Officer,
Maintenance Tribunal, South 24 Parganas & Ors.

With

WPA 17618 of 2021

Smt. Shibnath Das & Anr.
Vs.
Sub Divisional Officer and Tribunal Officer,
Maintenance Tribunal, South 24 Parganas & Ors.

Mr. Santanu Mukherjee
.....for the petitioner (In WPA 19429/2022)

Mr. Himadri Sekhar Chakraborty
Mr. Arunava Maiti
.....for the State(In WPA 19429/2022)

Mr. Victor Chatterjee
.....for the petitioner (In WPA 17618/2021)

Mr. Sk. Md. Galib
Ms. Subhra Nag
.....for the State(In WPA 17618/2021)

The petitioner in the first writ petition,
who is the mother of the petitioner no.1 and
mother-in-law of the petitioner no.2 in the second
writ petition, filed an application before the
Maintenance Tribunal in 2021 seeking to oust her

son and daughter-in-law from the premises. The petitioner/mother seeks implementation of the order passed by the Tribunal on 21st September, 2021 by which the son and daughter-in-law were directed to vacate the petitioner's house by 31st October, 2021.

The Second writ petition is filed by the son and daughter-in-law seeking stay of the order passed by the Tribunal on 21st September, 2021.

Learned counsel appearing for the State submits that the matter before the Tribunal was made returnable on 11th November, 2021 when the son and daughter-in-law were not represented. The matter was then made returnable on 11th February, 2022 wherein the Tribunal recorded that the matter would await decisions of this Court on the writ petitions filed by the parties.

After considering the orders passed by the Tribunal, this Court is of the view that the Tribunal should be directed to proceed with the applications filed by the parties in both the writ petitions.

Hence, both the writ petitions are disposed of with the direction on the Tribunal to forthwith proceed with the applications filed by the parties and make an effort to complete the proceedings within 12 weeks from date.

It is made clear that this Court has not gone into the merits of this case.

Urgent photostat certified copy of this order, if applied for, be given to the parties on usual undertakings.

(Moushumi Bhattacharya, J.)