

24.04.2023
Court No.13
Item No.12
pk

WPA 19768 of 2022

**Smt. Jayashree Sinha
Vs.
State of West Bengal and Ors.**

Mr. Subrata Bhattacharyya,
Ms. Shipra Santra

... For the Petitioner.

Mr. Susovan Sengupta,
Mr. Subir Pal

... For the State.

1. Despite service of notice, private respondents are not represented.
2. Katwa Police Station has filed a report dated 19.04.2023, which is taken on record.
3. It appears that the Maintenance Tribunal, under the Welfare of Parents and Senior Citizens Act, 2007 in Case No. 6 of 2021, has ordered on 15.09.2022 that the petitioner must be restored to her property-in-occupation of the private respondents. Admittedly, the petitioner is the owner of the property.
4. The private respondents have challenged the order by filing Misc. Case No. 74 of 2022. She has also filed a proceeding under the PWDV Act, 2005.
5. Counsel for the petitioner submits that the application of the private respondents/daughter-in-law and son has been rejected by the ACJM, Katwa, Purba Bardhaman.

6. Be that as it may, Katwa Police shall forthwith escort the petitioner and her husband back into their residence immediately.
7. For the aforesaid purpose, the petitioner and her husband shall report to the Katwa Police Station on 26.04.2023 at 2.00 p.m.
8. Katwa Police shall issue stern and stringent warnings to the private respondents against harming or disturbing the petitioner and her husband. In the event of any further complaint from the petitioner or her husband against the private respondents/daughter-in-law or son, coercive measure shall be taken by the Police against them and FIR shall be registered.
9. The writ petition is disposed of.
10. There will be no order as to costs.
11. All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)