

03-01-2023
ct no. 13
Sl.51
sp

WPA 22636 of 2022

Maina Das

-Versus-

The State of West Bengal & Ors.

Mr. Parashar Baidya,
Mr. T. Bhanja,
Mr. I.N. Singh

....for the petitioner

Mr. Asim Kr. Ganguli, Id. Sr. Adv.,
Mr. Subrata Dasgupta

...for the State

Despite service of notice, the private respondents are not represented. Further notice of mentioning has also been refused.

The petitioner complains that after working for a life time as a domestic help in the city, she wanted to return to Maheshtala, her own residence at the age of 74 years. The private respondents being the son and daughter-in-law tortured the petitioner causing physical harm. The petitioner lodged a complaint with the Maheshtala Police Station that was registered as FIR and charge sheet No. 288 of 2022 dated July 21, 2022 has been filed under Section 341/323 of the IPC and Section 25 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

There is, therefore, clear evidence before this Court of misbehavior by the private respondents.

In the above circumstances, this Court directs the Maheshtala Police Station to escort the petitioner and her elder daughter-in-law and children back into her residence forthwith. The petitioner shall visit the Maheshtala Police Station day-after-tomorrow (05.01.2023) at 11 a.m. Sufficient warning shall be given to the private respondents against torturing and/or causing physical harm to the petitioner.

It is made absolutely clear that in the event of any further complaint from the petitioner against the private respondents, the police shall apply for cancellation of bail granted to the private respondents immediately.

With the aforesaid observations, 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.)