

11.01.2023
Court No.13
Item No.20
AP

WPA 24063 of 2022

**Shova Rani Dutta
Vs.
The State of West Bengal and Ors.**

Mr. Lalratan Mondal
Mr. Avik Kumar Das
Mr. Dilip Kumar Sadhu

... For the Petitioner.

Mr. Robiul Islam
Mr. Sk. J. Hossain

... For the Respondent Nos.5 & 6.

The petitioner has complained that despite a conditional gift to the elder daughter of the house in question, she is not taking care of her.

The petitioner is now compelled to stay and live outside her house with her younger daughters.

Counsel for the private respondents submits that they have absolutely no objection whatsoever to the petitioner's staying with them and they are willing to take care of the petitioner including food, clothing and medical expenses.

It is submitted by the private respondents that this proceeding is engineered at the instance of the younger daughters, who wanted the petitioner to revoke the gift deed in favour of the elder daughter and pass it on to the younger daughters. This Court cannot pronounce upon the said contention.

In the above circumstances, this Court directs the petitioner to return to her house and live independently thereat. The younger daughters may come to visit the

petitioner as and when they want. The private respondents undertake before this Court to take care of the writ petitioner/mother.

If the petitioner is of the view that the terms and conditions of her gift to her elder daughter are not being met, she may apply for appropriate remedies inter alia under the Senior Citizens Act of 2007.

The Officer-in-Charge, Debra Police Station shall ensure that the aforesaid order be complied with and shall attend to the petitioner in case of any complaint whatsoever against the private respondents.

The petitioner may return to her house by 14th January, 2023 (Saturday) at noon.

With the aforesaid directions, the writ petition is 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.)