

01.03.2023.  
Court No.13  
Item No. 20  
ap

**W.P.A. No. 25152 of 2022**

**Sk. Ebrahim & Anr.  
Versus  
The State of West Bengal & Ors.**

Mr. Anirban Majumder,  
Mr. Somnath De.

...For the petitioners.

Affidavit-of-service filed in Court today be taken on record.

The petitioners claim that they have been ousted from their residence at Khanakul at Village – Gourhati by their ex-daughter-in-law. The daughter-in-law is stated to have obtained a divorce from the petitioners' son. Since thereafter the daughter-in-law has been repeatedly raiding the petitioners' premises and beating them up along with antisocials.

The petitioners claim to have lodged continuous complaints with the Khanakul Police Station. The petitioners claim that since 23<sup>rd</sup> September, 2021 they were forced to leave Khanakul and live at Sheraphuli, Hooghly.

The petitioners state that they have been permitted to live there by a landlord who is a member of an NGO. The petitioners seek assistance of Khanakul Police Station to return to their residence.

The Officer-in-charge, Khanakul Police Station has filed a report dated 21<sup>st</sup> February, 2023, which is kept with the record.

It appears from the said report that the petitioners have not been permanently residing in their place of residence and go there of and on.

The private respondents have refused service of notice of the writ petition.

Since there is some inconsistency between the report of the police and the statements made in the writ petition, this Court is of the view that the petitioners may seek shelter under the provisions of the Maintenance & Welfare of Parents and Senior Citizen Act, 2007 for other reliefs.

The Officer-in-charge, Khanakul Police Station shall, however, escort the petitioners back into their residence. The Police shall ensure that the petitioners and the private respondents live in peace and any rights between the parties may be established before the civil or statutory forum in accordance with law.

With the aforesaid observations, the instant writ petition shall stand disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

***(Rajasekhar Mantha, J.)***