

November 5, 2024
AD 79
Ct. 17
SG

CPAN 1222 of 2024
in
WPA 26121 of 2023
Sk. Habibullah
vs.
Alok Rajoria and others

Mr. Nikhil Kumar Gupta
... for the petitioner

Learned counsel for the petitioner submits that on 27.12.2023 this Court was pleased to pass the following directions:

“But, the mother of the petitioner is an octogenarian and appears to be a prime shareholder of the property of her husband (since deceased). She cannot be forced out of such property or brutalized in any manner.

At this advanced age, the petitioner’s mother cannot even be asked to go before the Civil Court and pray for appropriate relief in this regard. The private respondents have to allow her to stay in a room at the said property and use all common amenities. The police authorities shall be at liberty to ensure the same on a complaint of the petitioner or his mother.

Even otherwise, the police authorities shall keep a sharp vigil at the locale, ensure that no

breach of peace takes place and also see that no order of civil court is violated. Surveillance shall include frequent visits by police patrol.”

According to him, in spite of these directions, the respondents have not carried out the same. In fact, the 87 years old mother of the petitioner was severely beaten up by the private respondents and she has not been allowed to stay in a room in the said property. She is still put up at the garage. This is a deliberate and gross violation of this Court’s order.

Let a notice of contempt be issued to the alleged contemnors and be served within a fortnight from this date.

List the matter for hearing under the same heading on November 26, 2024.

The alleged contemnors shall be at liberty to comply this Court’s order.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of requisite formalities.

[Jay Sengupta, J.]