

22.03.2023
Court No.13
Item No.10
AP

WPA 28420 of 2022

**Sri Jugal Pora
Vs.
The State of West Bengal & Ors.**

Mr. Kunal Ganguly
Mr. Sudip Kushari
Ms. Sanchari Chakroborty

... For the Petitioner.

Mr. Amitesh Banerjee
Mr. Tarak Karan

... For the State.

Mr. Asit Kumar Hazra
Mr. Animesh Samanta
Ms. Soumi Chatterjee

... For the Respondent Nos.4 & 5.

The petitioner and his wife were escorted back into their house by an order dated 8th February, 2023. On the very next day, they were assaulted by the private respondents. Ghatal Police Station has registered FIR on the complaint of the petitioner's wife, inter alia, under Section 307 of the IPC. The private respondents have obtained bail.

Admittedly, the private respondent/son has inherited petitioner's late brother's share in the joint property. The property comprises in two separate buildings having a common toilet.

The private respondent/son shall stay in the property inherited from his late uncle.

The private respondents shall construct an independent toilet of his own. He and his family shall

not come in any way near the portion of the premises that shall be occupied by the petitioner and his wife.

In the event of any further assault or attack on the petitioner and his wife, who are senior citizens, Ghatal Police shall be entitled to take private respondents into custody. The Ghatal Police shall post a constable at the petitioner's residence over a period of three days and thereafter, regular vigil shall be maintained on the said premises.

The personal presence of the petitioner is dispensed with.

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.)