

WPA 25764 of 2023

Biplab Roy & anr.

-vs-

The State of West Bengal & ors.

Mr. Jyoti Prakash Chatterjee

Mr. Sourav Chakraborty

...for the petitioners

Ms. Mousumi Hazra

Mr. Sudip Kumar Khan

...for the respondent nos. 8 to 10

Ms. Jhuma Chakraborty

Ms. Arpita Adak Mondal

...for the State

Affidavit of service filed on behalf of the petitioners is taken on record.

Report filed on behalf of the State and copy of an order dated 19.12.2023 filed on behalf of the private respondents are also taken on record.

Learned counsel appearing on behalf of the petitioners submits as follows. The petitioner no.1 is the son of the respondent no.10. The petitioner no.2 is the wife of the petitioner no.1 and the respondent nos. 9 and 8 are the sister and brother in law of the petitioner no.1. The private respondents threw out the petitioners from the property where they were staying. This is despite the fact that they had preferred an appeal against the order of the Sub-Divisional Officer.

Learned counsel appearing on behalf of the private

respondents submits as follows. The petitioners were torturing the aged respondent no.10 for quite some time. She was thrown out of his house. She was compelled to initiate a proceeding under the provisions of the Welfare and Maintenance of Parents and Senior Citizens Act, 2005. On 13.01.2023, an order was passed by the learned SDO for evicting the present petitioner. As per such order, the eviction was done. The Appellate Court had not granted any stay at any point. In fact, the Appellate Court confirmed the order of the Sub Divisional Officer.

Learned counsel appearing on behalf of the State relies on the report and submits that the police have taken action in respect of an order passed by the SDO as per law.

It appears that the petitioners were dispossessed in accordance with law.

Therefore, no further order need be passed in this regard.

With these observations, the writ petition is disposed of.

As affidavits were not called for, allegations are deemed not to have been admitted.

Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Jay Sengupta, J.)