

22 24.04.2024
AN Ct. No. 01
RP

MAT 2334 of 2023
with
IA No. CAN 1 of 2023

Bijay Kumar Aich
Vs.
State of West Bengal & Ors.

Mr. Dhiman Ray
Mr. Dip Chandra

... For the appellant

Mr. Rajarshi Basu

... For the State

Mr. Rahul Karmakar
Ms. Ishita Kundu

... For the respondent no. 3

1. We have heard learned counsel for all the parties elaborately.

2. This intra-Court appeal filed by the writ petitioner is directed against the order dated 22.08.2023 passed in WPA 2535 of 2023. The learned Single Judge was right in dismissing the writ petition. That apart, in terms of the provisions of the Maintenance of Welfare of Parents & Senior Citizens Act, 2007, the property rights cannot be decided by the authority and the issue has to be decided only before the Civil Court having competent jurisdiction.

3. With the above observations, the appeal stands **dismissed**. Consequently, the connected application also stands dismissed.

(T. S. Sivagnanam)
(Chief Justice)

(Hiranmay Bhattacharyya, J.)

