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16.04.2025
Court No.14
AGM

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 2223 of 2025

Parul Rani Pattanayak
Vs.
The State of West Bengal & Ors.

Mr. Sourav Kumar Mukherjee.
Ms. Sahana Pal.
Mr. Kaushik Chowdhury.
Mr. Souhardya Mitra.
Ms. Soumyadipa Kanu.

...for the Petitioner.

Mr. A. Debnath.

...for the respondent nos. 4 and 5.

1. The petitioner is the mother of the respondent no. 4 and mother-in-law of the respondent on. 5.
2. She claims to be aggrieved by the direction passed by the Chairman, Tribunal for Welfare and Maintenance of Parents and Senior Citizens Act, 2007 by directing the petitioner and the private respondent no. 4 who is her son to stay in the property and maintain an amicable atmosphere.
3. The Chairman directed that the private respondent will also look after his mother, the petitioner herein and extend necessary support for her peaceful living and take care in respect of his mother.
4. The Inspector-in-charge, New Town Police Station is asked to keep vigil on the status quo and submit report after three months.
5. Learned advocate for the petitioner alleges that the subject property, which stood in the name of the petitioner, was gifted to the private respondent upon misrepresentation. A civil suit challenging the gift is pending consideration before the learned civil forum.
6. The petitioner approached the Tribunal for relief.

7. Learned advocate representing the private respondent submits, upon instruction that, the petitioner does not have any objection if his mother resides at the subject premises.
8. Learned advocate for the petitioner submits that as the structure in question consists of two separate floors, for all practicable purposes, the area should be demarcated where the parties can reside separately and peacefully.
9. This Court is of the opinion that the prayer seeking separation by way of demarcation of the areas ought not to be done by the writ Court.
10. It will be open for the parties to approach the competent civil forum for relief, if so advised.
11. The private respondent is directed not to harass the petitioner during her stay in the subject premises.
12. The Inspector-in-charge, New Town Police Station is directed to keep regular strict vigil to ensure that no breach of peace takes place at the locale.
13. The writ petition stands disposed of.
14. Urgent photostat certified copy of this order, if applied for, be supplied to the parties upon compliance of all the requisite formalities.

(Amrita Sinha, J.)