

21.05.2025

Item No.6

Ct. No.35

dc.

W.P.A. 8666 of 2025

**Shanti Mondal
versus
The State of West Bengal & Ors.**

Mr. Rajkumar Sain, Mr. Argha Das	... For the Petitioner.
Mr. K. J. Yusuf, AGP, Mr. Sanjay Mukherjee	... For the State.
Mr. Usof Ali Dewan, Mr. Asif Dewan	... For the Respondent No.4.

Affidavit-of-service filed in Court today be kept with the record.

Report submitted by the learned advocate appearing for the State be also kept with the record.

The petitioner complains that she is an octogenarian who has been subjected to assault by the grandson and his wife. To that effect, petitioner refers to medical documents which have been enclosed in the writ petition.

State has submitted a report which reflects that a family feud is continuing for a considerable period of time. Police authorities have no scope for interference. So far as the medical documents are concerned, according to the State, the same do not fortify the contentions in respect of physical assault. However, the police authorities have drawn up proceedings under Section 126 of BNSS.

Learned advocate appearing for the respondent no.4 submits that several writ petitions have been preferred by the family members.

Be that as it may, since the petitioner complains that she has been subjected to physical assault and she has further medical documents in her custody, petitioner would approach the learned jurisdictional Magistrate under the relevant provisions of law. Although the petitioner has averred in the writ petition that she has been thrown out from her house, but to that effect, no information was submitted to the police authorities in the representation dated 13.03.2025 addressed to the Inspector-in-Charge, Falta Police Station. Be that as it may, in case the petitioner has been thrown out of her residence, she would approach the appropriate authorities under the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007. If any directions are passed by the Authorized Officer upon the police authorities, police authorities would respect, obey and implement such order.

With the aforesaid observations, the writ petition being WPA 8666 of 2025 is disposed of.

There will be no order as to costs.

All concerned parties shall act on the server copy of this order duly downloaded from the official *website* of this Court.

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

(Tirthankar Ghosh, J.)