

07.05.2025
Court No. 35
Item No.11
Rakib

W.P.A. 9014 of 2025

Swapan Kumar Barman.
VS
The State of West Bengal & Ors.

Mr. Abhishek Dutt.

... for the Petitioner.

Ms. Mili Saha.

...for respondent no.5.

Mr. Ansar Mondal, Ld. AGP,

Mr. Tanweer J. Mondal.

...for State.

Affidavit-of-service filed by the petitioner be kept with the record.

Petitioner complains of suffering mental torture at the hands of the private respondents who happen to be his daughter. To that effect he has informed the local police station however, local police station inspite of receipt of the information on or about 09.04.2025 did not take any steps which the petitioner complains has been a cause of mental trauma and physical discomfort for the petitioner.

State has submitted a report. Report reflects that the police authorities have conducted enquiry and it has found that the daughter has taken exception in respect of a relationship between her father and another lady.

Be that as it may, it has also been reflected from the report that there is a bitter relationship presently existing between the petitioner and the respondent no.5. The writ petition also reflects that the property is jointly

registered in the name of the petitioner and the respondent no.5.

Learned advocate appearing for the respondent no.5 denies and disputes the allegations and further contends that since no affidavit has been called for the accusations made in the writ petition are deemed not to have been admitted

Having considered the present set of affairs, I direct that the petitioner would be at liberty to approach the appropriate authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 for claiming reliefs under the said Act.

So far as the police authorities are concerned they would keep a strict vigil and ensure that no breach of the peace and/or tranquility and/or any untoward incident results because of the strained relationship existing between the petitioner and the respondent no.5.

With the aforesaid observations WPA 9014 of 2025 is disposed of.

Report so submitted by the State be kept with the record.

Copy of the report be handed over to both the parties.

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.)