

07.07.2025
Court No. 35

M/L. No.8
Rakib

W.P.A. 10513 of 2025

Smt. Anjali Bala Ghosh (Bose).
VS
The State of West Bengal & Ors.

Mr. Noni Gopal Chakravarty,
Mr. Md. Kutubuddin,
Ms. Lopamudra Patra.
...for the Petitioner

Mr. Dipanjan Datta, Sr. Govt. Adv,
Mrs. Sukanya Datta.
...for the State.

Mr. Partha Pratim Roy,
Mr. Sarbanandu Sanyal,
Mr. Samrat Chakraborty.
...for Respondent no. 7.

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

Petitioner complains that she has been thrown out
of her residence after she was restored back to her
possession pursuant to the direction passed by the Sub-
Divisional Officer under the provisions of Maintenance
and Welfare of Parents and Senior Citizen Act, 2007.
Petitioner claims that there were no directions for
throwing out the petitioner, in spite of the same she has
been removed from her residence.

Learned advocate appearing for the respondent
no.7 submits that T.S. 172/2020 and T.S. 38/2022 both
the suits have been dismissed. As such the private
respondent who is not party to the proceedings is being
affected as he has purchased the property from the son of

the petitioner by way of partying with substantial consideration.

Learned advocate for the State on the other hand relies upon the police report prepared by the Officer-in-Charge, Swarupnagar Police Station. The report reflects that house being vacant and lying under lock and key and the petitioner is not residing as she is undergoing treatment being a cancer patient. Police authorities have also denied the factum of any physical assault being inflicted upon the present petitioner.

Be that as it may, since the earlier order for restoration of possession was passed the Sub-Divisional Officer under the provisions of Maintenance and Welfare of Parents and Senior Citizen Act, 2007, I direct that the petitioner would approach the Sub-Divisional Officer, the Sub-Divisional Officer will give opportunity to the petitioner and all the affected parties including the private respondent no.7 and thereafter pass necessary directions.

With the aforesaid observations WPA 10513 of 2025 is disposed of.

Report 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.)