

D/L 186
11.07.2025
ct.no.35
Kausik

W.P.A. 12895 of 2025

**Haripada Sutradhar
Versus
State of West Bengal & Ors.**

Mr. Satadru Lahiri
Ms. Puja Goswami
Mr. Abhijit Mondal

...for the petitioner.

Ms. Sananda Bhattacharyya
Mr. Asraf Sk.

...for the respondent nos. 4 & 5.

Mr. Vimal Kumar Shahi, Ld. AGP
Ms. Pratiti Das

...for the State.

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

Learned advocate appearing for the petitioner submits that there have been specific orders passed by the Civil Court wherein a status quo order has been passed in T.S. No. 220 of 2024. So far as the present petitioner is concerned, he has approached the Tribunal under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Specific order was passed. However, the same, till date has not been followed, the order which has been enclosed reflects that a status report was directed to be submitted before the said Tribunal.

The main grievance of the petitioner primarily seems is peaceful enjoyment of the property which is being interfered by the respondent nos. 4 & 5. To that effect, the Tribunal is already in seisin of the issue.

Learned advocate appearing for the respondent nos. 4 & 5 submits that the respondent nos. 4 & 5 happens to be the son and daughter-in-law who are being attempted to be thrown away from the residence.

State has submitted a report. I have considered the report. Police authorities have acted in consonance with the provisions of law and has restrained themselves from unnecessarily involving themselves in the family feud which is continuing. Report also reflects that there were criminal cases and also applications before the learned Executive Magistrate. Reference has also been made to proceedings under the provisions of PWDV Act which was instituted against the petitioner.

Since the Tribunal under the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is in seisin of the issue and there are directions upon the police authorities to submit a status report, I am of the view that the Tribunal would be the best authority to decide the reference

and pass necessary directions. In case, it feels that there has been interference with the peaceful enjoyment of the property so far as the petitioner is concerned.

With the aforesaid observations WPA 12895 of 2025 is disposed of.

Report so submitted be kept with the record.

A copy of the report be handed over to both the parties.

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

(Tirthankar Ghosh, J.)