

04
23.07.2025
AGM

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A 16266 of 2025

**Swarnalal Majumdar
-versus
The State of West Bengal & Ors.**

**Mr. Kaustav Bagchi.
Mr. Debayan Ghosh.
Ms. Priti Kar.
...For the Petitioner.**

**Mr. Vivekanda Bose.
Mr. Syed Nasirul Hossain.
... For the State.**

**Mr. Kalyan Kumar Mallick.
Mr. Mukul Biswas.
... For the Private Respondent.**

1. The petitioner claims to be a senior citizen.
2. An application made before the Sub Divisional Officer under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act is alleged to be pending consideration.
3. The respondent no. 6, i.e., the daughter-in-law of the petitioner is being represented by the learned advocate who undertakes to file the vakalatnama in the department in course of the day.
4. As the Sub Divisional Officer would be the appropriate Authority to take a decision on the application made by the petitioner, accordingly, the instant writ petition is disposed of by directing the Sub Divisional Officer, Bongaon being the respondent no. 3 herein to take into consideration the application filed by

the petitioner appearing at pages 25 and 26 of the writ petition in accordance with law and endeavour to dispose of the same at the earliest after giving reasonable opportunity of hearing to the necessary parties.

5. The writ petition stands disposed of.

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

7. The petitioner apprehends that the private respondents that is the son and daughter-in-law of the petitioner may take steps to transfer the property which the petitioner gifted under misrepresentation in favour of strangers creating third party rights.

8. It will be open for the petitioner to pray for interim order before the learned Sub Divisional Officer and if such a prayer is made, the Sub Divisional Officer shall consider and dispose of the prayer for interim order at the earliest but positively within a period of sixty days from the date of making the application for interim order.

9. The writ petition stands disposed of.

10. Urgent photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Amrita Sinha, J.)