

07.02.2025
Court No. 35

Item No.4
Rakib

W.P.A. 17559 of 2024
Sitangshu Ghorai & Anr.
VS
The State of West Bengal & Ors.

Mr. Pawan Kr. Gupta,
Ms. Sofia Nesar,
Mr. Santanu Sett.
... for the Petitioners.
Mr. Wasim Ahmed,
Mr. Sk Masud.
... for the State.

Petitioners are parents who approached this Court against their son and the daughter-in-law being the respondent nos. 4 and 5.

There were earlier directions passed in WPA 23737/2022 wherein a Coordinate Bench was pleased to direct in paragraph 8 as follows:

“8. In the event of any further complaint from the petitioner or his wife against the private respondents/son and daughter-in-law, due enquiry shall be made and if necessary, coercive measures shall be taken against the private respondents.”

Petitioners allege that in spite of the said order complaints were made to the police station but no action has been taken by the police authorities.

I find that the police authorities have already registered Jagacha Police Station case no. 28/25

dated 29.01.2025 under the relevant provisions of the BNS, 2023 pursuant to the information furnished by the petitioner against the respondent nos. 4 and 5. The said case is still pending for investigation.

Having regard to the police authorities having adhered to the order passed by the Hon'ble High Court, I direct the police authorities to continue their surveillance and they would not deter from registering case if the senior citizens or the parents are subjected to inhuman harassment and torture.

It has been submitted that the petitioners have already approached the Tribunal/appropriate authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, any order passed by the said Tribunal or the authority would be binding upon the police authorities and the police authorities would respect, obey and implement the order passed by the tribunal.

With the aforesaid observations WPA 17559 of 2024 is disposed of.

Report submitted by the State be kept with the record.

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.)