

D/L 4
27.08.2025
ct.no.35
Kausik

W.P.A. 19263 of 2025

**Bhakta Bala Sarkar
Versus
The State of West Bengal & Ors.**

Mr. Shah Jamal Hazra

...for the petitioner.

Mr. Suddhadev Adak
Mr. Abhijit Sarkar

...for the State.

Petitioner submits that she is 97 years old and has been subjected to torture at the hands of the private respondent no. 5 who is the son. This has been complained that there are 6 rooms in the house but she has been kept under the stairs.

Report has been submitted by the police authorities which reflects that several cases have been instituted since the year 2013 being Taltala PS Case No. 442 dated 02.12.2013, Taltala PS Case No. 452 dated 25.12.2013, Taltala PS Case No. 174 dated 09.09.2014, Taltala PS Case No. 229 dated 03.12.2014, Taltala PS Case No. 61 dated 09.04.2016 and Taltala PS Case No. 70 dated 10.07.2019.

Having considered that an undivided ancestral property is the subject matter of dispute

between the brothers and the sister as well as the mother, these aforesaid cases have been registered for investigation. There is an existing family dispute. If the children cannot with a human face keep their mother in a room assigned to her, the police authorities without an order of a Court of Law cannot do the same.

Petitioner would be well advised to approach the Maintenance Tribunal under the relevant provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. In case, any direction is passed upon the police authorities, the same be implemented. The concerned police station in the meantime would ensure that the petitioner is not thrown out of her residence. To that effect, if any information is furnished, police authorities would immediately take steps.

With the aforesaid observations WPA 19263 of 2025 is disposed of.

Report submitted be kept with the record.

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

(Tirthankar Ghosh, J.)