

10.09.2025
Item No.19
Ct. No.35
dc.

W.P.A. 19517 of 2025

**Upendra Nath Paine & Anr.
versus
The State of West Bengal & Ors.**

Mr. Sourodeep Singha ... For the Petitioners.

Mr. Sudipta Panda,
Mr. Subhendu Sengupta ... For the State.

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

Report submitted by the learned advocate appearing for the State be also kept with the record.

Petitioners are parents of respondent no.4. It has been alleged that the respondent no.4 being the son and the respondent no.5 being the daughter-in-law are inflicting torture, harassing and preventing the present petitioners to lead a peaceful life. To that effect, information was furnished before the police authorities, but till date, no action has been taken.

State has submitted a report which reflects that Maintenance Case No. 13 of 2025 is pending before the learned Judicial Magistrate, Bidhannagar. A case has been filed under Section 163(2) of BNSS being M.P. Case No. 28 of 2025 before the learned Executive Magistrate. The report also reflects that a family feud is persisting for a considerable period of time.

Having considered the nature of the dispute, I am of the opinion that if the petitioners intend to

get rid of the private respondents, then in that case, they ought to approach the Maintenance Tribunal under the relevant provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007. In case any directions are passed upon the police authorities by the said Tribunal/SDO, police authorities would implement the said order.

With the aforesaid observations, the writ petition being WPA 19517 of 2025 is disposed of.

There will be no order as to costs.

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.)