

December 11, 2025
(19) ARDR

WPA 26605 of 2025

Suprabha Debi @ Suprabha Pramanik
Vs.
The State of West Bengal & ors.

Adv. Robiul Islam,
Adv. K. M. Hossain,
Adv. Jayed Hossain,
Adv. M. Rahaman,

... for the petitioner.

Adv. Vimal Kumar Shahi (through VC),
Adv. SM Samim Ullah,

...for the State.

Affidavit of service filed by the petitioner and the report submitted by the State are taken on record.

The private respondent is not represented despite service.

Learned counsel for the petitioner submits that the petitioner is an octogenarian lady and the private respondent is her daughter in law. Her son induced her to execute a deed of gift in respect of her house in favour of his wife by practising misrepresentation and fraud. The private respondent and her husband (son) tortured and assaulted the petitioner severely for which she was constrained to leave her house. The petitioner filed an application under Section 5 read with Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the Sub Divisional Officer, Nadia in this regard and by an order passed on 8th August, 2022, the Sub Divisional Officer declared the deed of gift executed in favour of the private respondent void and directed the Inspector in charge, Kotwali Police Station to look into the

matter so that the private respondent did not disturb the petitioner in her peaceful possession of the dwelling house. Learned Sub Divisional Officer also directed the police to ensure protection of life and property of the petitioner.

Learned counsel submits that despite such order, the petitioner has not been able to return to her house till date due to inaction on the part of the police despite affirmation of the order of the Sub Divisional Officer by the appellate authority.

It appears from the report submitted by the State that the police has registered FIR pursuant to the complaint lodged by the petitioner and investigation is in progress.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that it is not in dispute that the house in question belongs to the petitioner who is not able to return to her house due to obstruction offered by her son and the private respondent. Since the deed of gift executed in favour of the private respondent has been declared to be void and the petitioner's name has been restored in respect of the house as owner thereof, the police authority is directed to render necessary assistance to the petitioner in order to enable her to return to her house and reside there peacefully without any disturbance being created by her son or the private respondent. The petitioner shall intimate the relevant police authority about the date and time of her intended return to her property and the police authority

shall render necessary assistance to her for the same. The police shall provide protection/assistance to the petitioner so that she is able to reside in her property peacefully without any disturbance whatsoever from her son and the private respondent.

With the aforesaid direction, the writ petition is disposed of.

There shall however, be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to have been admitted.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Suvra Ghosh, J.)