

February 2, 2026
(90) ARDR

WPA 10857 of 2025

Ganapati Pramanick
Vs.
The State of West Bengal & ors.

Adv. Lal Mohan Basu,
...for the petitioner.
Adv. Pradip Kumar Kundu,
...for the respondent nos. 5 & 6.
Adv. Suman Sengupta,
Adv. Sambuddha Dutta,
...for the State.

Affidavit of service filed by the petitioner is taken on record.

The petitioner is the father of the 5th respondent and the 6th respondent is his daughter in law. The petitioner alleges that the private respondents who are residing with him and his wife in his house have been meting out torture and assault upon them and are threatening to evict them from the house. The petitioner lodged a complaint under The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the Sub Divisional Officer which is pending. The petitioner seeks protection.

Learned counsel for the private respondents denies and disputes the allegations made by the petitioner.

Upon consideration of the submission made on behalf of the parties, this Court is of the view that since the house in question is admittedly belongs to the petitioner, the private respondents can at best be termed as licensees under him. The petitioner has taken steps under the Act of 2007 for their eviction in accordance with law.

Since the petitioner complains that the complaint lodged by him before the police authority on 21st April, 2025 has not been acted upon, the petitioner is at liberty to approach the jurisdictional Magistrate under Section 175 of the BNSS.

In the meantime, the police authority shall keep strict vigil in the area in order to avoid any untoward incident and for maintenance of peace and tranquility. The police shall render necessary assistance/protection to the petitioner and his wife so that they are able to reside in their house peacefully without any disturbance from any corner whatsoever.

The writ petition is accordingly 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.)