

17.01.2022
Court No.13
Item No.10
AP

WPA 19866 of 2021

**Radharani Saha
Vs.
The State of West Bengal and Ors.**

(Through Video Conference)

Mr. Raja Biswas

... For the Petitioner.

Mr. Subhabrata Datta

Mr. Debasish Sarkar

Mr. Sanatan Panja

... For the State.

Ms. Karabi Roy

... For the Private Respondent.

The writ petitioner is aggrieved by inaction on the part of the Dumdum Police Station in respect of a complaint of harassment by the private respondents son and daughter-in-law.

It is submitted that the son does not reside with the writ petitioner. There is serious matrimonial discord between the writ petitioner's son being the private respondent No.7 and the daughter-in-law being the private respondent No.8. It is stated that the daughter-in-law forcefully occupied some portions of the writ petitioner's premises.

Admittedly, there are proceedings filed by the daughter-in-law inter alia for residence under the provisions of the Domestic Violence Act, 2005 which are since pending.

On the complaint filed by the daughter-in-law against the writ petitioner and her husband charge-sheet No.988 of 2020 dated 31st December 2020 under Section 498 and 506 of the Indian Penal Code has been filed. There

are other complaints filed by the daughter-in-law against the writ petitioner is under investigation.

In so far as the husband's complaint against the private respondent, charge-sheet No.535 of 2021 under Section 341, 323, 506 of the Indian Penal Code dated 31st May 2021 are pending.

The writ petitioner has also filed proceedings before the Sub Divisional Officer, Barrackpore under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 which has not been addressed till date. In that view of the matter, it is directed that the Sub Divisional Officer, Barrackpore shall enter into the said complaint and pass appropriate orders under the said Act of 2007.

The parties are on bail.

Considering the above, the Officer-in-Charge, Dumdum Police Station shall ensure that there is absolutely no breach of peace in the area and maintain strict vigil in the said premises and address any threat of peace immediately.

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

There shall be no order as to costs.

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

(Rajasekhar Mantha, J.)