

S/L 31
06.05.2026
Court. No. 25
Sourav

WPA 20322 of 2025

Ruma Das
Vs.
The State of West Bengal & Ors.

Mr. Dyutiman Banerjee
Mr. Debjit Dutta

...for the petitioner.

Mr. Uttiya Ray
Mr. Atish Santra

...for the respondent no. 5.

1. This writ petition is filed by the petitioner on the allegation that the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman has passed the order on January 31, 2024 by directing the respondent no. 5 not to disturb his mother mentally and physically. The respondent no. 5 should also behave properly with the petitioner. The respondent no. 5 is also directed to pay Rs. 7000/- per month to his mother on and from March, 2024 through bank account before 7th of every month.
2. After the order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman, the respondent no. 5 failed to pay the said amount. Accordingly, the petitioner has filed an application for execution of the order dated January 31, 2024. The petitioner has also filed an application for issuance of warrant against the respondent no. 5 before the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman and the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman by an order dated August 28, 2024 directed the Inspect-in-Charge, Burdwan Police Station, Purba Bardhaman to comply the order and to file the compliance report within 60 days. In spite of the

order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman neither the private respondent has paid the amount nor the Officer-in-Charge has submitted any report. Again on January 16, 2025, Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman has directed the Inspector-in-Charge, Burdwan Sadar Police Station, Purba Bardhaman to comply with the order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman but in spite of the said order, no action has been taken by the police authorities for execution of the order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman.

3. Being aggrieved with the said action of the police authorities for non-compliance of the order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman, the petitioner has filed the writ application before the co-ordinate Bench of this Court being WPA 7787 of 2025 (Ruma Das Vs. The State of West Bengal & Ors.). the said writ petition was disposed of on April 23, 2025 by directing the Inspector-in-Charge, Burdwan Sadar Police Station, Purba Bardhaman to ensure that the respondent no. 5 is physically present before the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman on the next date fixed.
4. Learned counsel for the petitioner submits that in spite of the order passed by the co-ordinate Bench of this Court in the writ petition, the police authorities have not complied with the same by bringing the respondent no. 5 before the Sub-Divisional Officer, Bardhaman Sadar (North), Purba

Bardhaman. Accordingly, the petitioner has filed the present writ application.

5. Learned counsel appearing for the respondent no. 5 submits that in the order dated January 31, 2024, it was further agreed between the parties that the respondent no. 5 will receive money as house rent at Khoshbagan Gurudasi Para, and he will also enjoy the right to receive lease amount from the pond of Bhutgoria but the petitioner is not allowing the respondent no. 5 to receive the said money in terms of the agreement.
6. Learned counsel for the respondent no. 5 submits that the respondent no. 5 have paid the amount of Rs. 42,000/- on April 30, 2025 and Rs. 7,000/- on February 19, 2024. He submits that the respondent no. 5 has paid the amount and as such, he has not violated the order of the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman. Learned counsel for the respondent no. 5 further submits that the respondent no. 5 has also filed an application before the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman for review of the order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman dated August 28, 2024 and November 20, 2024.
7. He submits that unless and until the said application filed by the respondent no. 5 is not decided, it is not possible for the respondent no. 5 to pay any further amount.
8. Heard the learned counsel for the respective parties. Perused the materials on record.
9. This Court finds that on January 31, 2024 when the Sub-Divisional Officer, Bardhaman Sadar (North), Purba

Bardhaman has taken the matter for hearing, the respondent no. 5 has expressed his willingness to provide financial assistance to his mother for a sum of Rs. 7,000/- per month and also agreed to allow his mother to stay in his house at Khoshbagan Gurudasi Para and accordingly, the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman taking into the willingness of the respondent no. 5 has passed the order directing the respondent no. 5 to pay Rs. 7,000/- per month and allow the petitioner to reside in the said house.

10. In spite of the order passed by the Sub-Divisional Officer, Bardhaman Sadar (North), Purba Bardhaman, the respondent no. 5 failed to pay the amount.
11. This Court finds that only Rs. 42,000/- and Rs. 7000/- has been paid and subsequently, no amount has been paid. In view of the above, the Officer-in-Charge, Burdwan Sadar Police Station, Purba Bardhaman is directed to bring the private respondent before this Court on June 9, 2026 at 1.00 p.m. It is made clear that in the meantime, if the respondent no. 5 paid the total arrears of the maintenance, the presence of the respondent no. 5 is not required.
12. Let the matter appear on June 9, 2026 within 10 matters.

(Krishna Rao, J.)