

Court No. - 3

Case :- WRIT - C No. - 6649 of 2023

Petitioner :- Hemraj Sharma

Respondent :- State Of U.P. Thru. Prin. Secy. (Home) Lko.
And 3 Others

Counsel for Petitioner :- Anoop Kumar Upadhyay

Counsel for Respondent :- C.S.C.

Hon'ble Vivek Chaudhary,J.

Hon'ble Manish Kumar,J.

(I.A. No. 2 of 2023)

Present application seeks correction/modification of the order dated 07.08.2023.

Learned counsel for the petitioner states that due to typographical error, order in the instant petition has wrongly been transcribed, which needs rectification.

Since the error is typographical one, thus, the order dated 07.08.2023 passed in present petition is hereby recalled and following order is being passed:-

1. Heard learned counsel for petitioner and learned Standing Counsel for the State.

" i) Issue a writ, order or direction in the nature of writ of Mandamus commanding the respondent no. 2 i.e. District Magistrate, Lucknow to ensure the early disposal of the application dated 14.03.2023 to ensure the early disposal of the application dated 14.03.2023 filed under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 as soon as possible of within a stipulated time by this Hon'ble Court.

ii) issue a writ, order or direction in the nature of Mandamus commanding the respondents to ensure the removal of forceful and illegal possession of opposite party no. 3 and 4 over the house of the petitioner.

iii) Issue a writ order or direction in the nature of Mandamus commanding the respondents to provide protection of life and liberty to the petitioner and take punitive action against the

opposite party no. 3 and 4."

2. After arguing at some length, learned counsel for petitioner submits that grievance of petitioner would be sufficiently met in case a direction may be issued to the respondent no. 2 District Magistrate-Lucknow to consider and decide the application of the petitioner dated 14.03.2023 filed under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

3. Writ petition is disposed of with a direction to the respondent no. 2-District Magistrate, Lucknow to consider and decide the application of the petitioner dated 14.03.2023 within a period of three months from the date of production of certified copy of this order in accordance with law.

(Manish Kumar,J) (Vivek Chaudhary,J)

Order Date :- 20.12.2023

Ashish