

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CWP No. 6048 of 2015

DATE OF DECISION : 07.04.2015

Sarabjit Kaur and another

.... PETITIONERS

Versus

Union of India and others

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. R.V.S. Chugh, Advocate,
for the petitioners.

* * *

SATISH KUMAR MITTAL, J. (Oral)

The instant writ petition has been filed by Sarabjit Kaur and Sukhdev Singh (daughter and husband of respondent No.5 Gurbant Kaur respectively) challenging the order dated 05.01.2015 (Annexure P-4) passed by the Sub Divisional Magistrate, Mansa (respondent No.4 herein), disposing of an application filed by Gurbant Kaur (respondent No.5 herein) under Sections 4 and 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

Vide the aforesaid order, an amount of ₹ 1,500/- has been fixed as monthly maintenance to be paid to respondent No.5 by the petitioners, with a further direction that respondent No.5 be put in possession of her ancestral house, where she was residing earlier. Before passing the said

order, the petitioners were summoned. They duly appeared before the authority. They also participated in the proceedings. However when the aforesaid order was passed, they did not come present and in their absence, the said order was passed.

In view of the above facts, learned counsel for the petitioners prays that the petitioners may be permitted to withdraw this petition with liberty to move an application before respondent No.4 for re-calling the aforesaid order, as at the time of passing of the said order, they were not heard.

Dismissed as withdrawn with the aforesaid liberty.

If the petitioners move any such application, respondent No.4 will dispose of the same in accordance with law.

**(SATISH KUMAR MITTAL)
JUDGE**

April 07, 2015
ndj

**(HARINDER SINGH SIDHU)
JUDGE**