

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

CWP No. 10883 of 2016
Date of decision: 28.05.2016

Vinod Anand

....Petitioner

Versus

Deputy Commissioner-cum-Appellate Tribunal and others

....Respondents

**CORAM: HON'BLE MR. JUSTICE PARAMJEET SINGH
DHALIWAL**

Present: Ms. Puja Chopra, Advocate,
for the petitioner.

Paramjeet Singh Dhaliwal, J. (Oral)

Instant writ petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondent No. 1-Deputy Commissioner-cum-Appellate Tribunal, Ludhiana to take suitable action in terms of order dated 11.03.2016 (Annexure P-5) and to restore possession to the petitioner.

Learned counsel for the petitioner contends that the petitioner filed an appeal before the Tribunal under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, which was dismissed and the appeal filed against said order was also dismissed vide order dated 15.10.2014. The petitioner preferred an appeal against the order dated 15.10.2014 and this Court vide order dated 23.09.2015 passed in ***CWP No. 24252 of 2014; Vinod Anand Vs. Deputy Commissioner-cum-Appellate Tribunal and others*** directed the Collector-cum-Sub Divisional Magistrate, Ludhiana to

take fresh decision. Against order dated 23.09.2015, the respondent preferred LPA and the same was also dismissed on 01.12.2015. Now the District Magistrate has issued an order dated 11.03.2016 (Annexure P-8) to the Tehsildar to restore the possession of the property in question but till date nothing has been done.

Having heard learned counsel for the petitioner and after perusing the paper-book, however, without commenting on merits of the case, instant petition is disposed of, without issuing notice to the respondents, with a direction to respondent No.1- Deputy Commissioner, Ludhiana, to comply with the order dated 11.03.2016 (Annexure P-5) forthwith, if there is no stay, in accordance with law, preferably within a period of one month from the date of receipt of certified copy of this order.

28.05.2016
PA

(Paramjeet Singh Dhaliwal)
Judge