

CWP No.1676 of 2014

[1]

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

**CWP No.1676 of 2014
Date of decision:18.02.2016**

Parkash Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Munish Gupta, Advocate,
for the petitioner.

Mr. V. Ramswaroop, Addl. A.G., Punjab.

Mr. Avtar Singh Bhatti, Advocate,
for respondent Nos.5 to 7.

Rakesh Kumar Jain, J. (Oral)

The petitioner is 83 years of age who has filed this petition against his sons, arrayed as respondents No.5 to 7, and prayed that they may be shifted from the house owned by him and also prayed for a direction to the officials respondents, arrayed as respondents No.1 to 4, to provide him adequate protection as, according to him, his sons had beaten him for the property and the representation(s) made by the petitioner to the official respondents were not considered.

Counsel for the petitioner has submitted that for the purpose of shifting the private respondents from his house, the petitioner would avail his remedy, in terms of the Maintenance and Welfare of Parents and Senior

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Citizens Act, 2007 (for short “the Act”), but protection to his life and liberty may be ensured.

Counsel for the private respondents has submitted that the allegations made against them are false.

Counsel for the State representing respondents No.1 to 4 has assured the Court that they would take immediate action in case any complaint is made by the petitioner for any kind of atrocity by his sons or any person instigated by them.

In view of the aforesaid, the present petition is hereby disposed of, giving liberty to the petitioner to take recourse to the provisions of the Act, if he does not want his children to live with him and a direction is issued to the official respondents to provide adequate police protection to the petitioner, as soon as the petitioner approaches them with a complaint against his sons or the relations of his sons.

While parting, it is also directed that in case the petitioner approaches the Collector concerned under the Act for shifting his sons from his house, within two weeks from today, the said application shall be considered and decided by the Collector expeditiously.

February 18, 2016
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(Rakesh Kumar Jain)
Judge