

CWP No. 18993 of 2015
Date of decision: 18.01.2016

Vikas Bhambri and another

.....Petitioners

versus

State of Haryana etc.

.....Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. John Kumar, Advocate
for the petitioner(s).Mr. Amit Chaudhary, Advocate
for respondent No.3.**Rakesh Kumar Jain, J.(Oral)**

Counsel for the petitioner has submitted that the impugned order dated 26.08.2015(Annexure P-2) could not have been passed by Sub Divisional Magistrate-cum-President Maintenance Tribunal Faridabad District Faridabad/respondent No. 2 as it has the jurisdiction only to award maintenance and not to order for vacation of the premises.

In this regard, counsel for the respondents has relied upon a decision rendered by this Court in ***CWP No. 22405 of 2015*** titled as *Manjit Singh vs. District Magistrate-cum-Deputy Commissioner, Karnal and others* dated 30.10.2015 in which it has been held that as per the action plan of the Government of Haryana, prepared in terms of Rule 24 of the Haryana Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter refereed to as the “Act”), Sub Divisional Magistrate(SDM) has the power to pass an order of eviction as well.

Keeping in view the above facts and circumstances, I do not

find any merit in the present case and the same is hereby, dismissed.

18th January, 2016
Shivani Kaushik

[Rakesh Kumar Jain]
Judge