

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.22407 of 2016
Date of decision:27.10.2016

Lt. Col. (Rertd.) V.S.Dhillon and another ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Ajay Chauhan, Advocate,
for the petitioners.

Rakesh Kumar Jain, J. (Oral)

This petition is filed by the senior citizens for seeking a writ in the nature of *mandamus* to respondent No.1 to constitute a functional tribunal so that their application filed under Section 22(2) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the “Act”) may be decided.

After hearing learned counsel for the petitioners and examining the available record, I am of the considered opinion that in order to entertain and decide the application filed under Section 22(2) of the Act, no application is required to be filed to the Tribunal as per the procedure provided in the action plan, as per which the decision has to be taken by the District Magistrate.

The present petition is thus dismissed being totally misconceived.

However, in case any such application is filed before the District Magistrate, the same shall be disposed of by him in accordance with the provisions of the action plan pertaining to the State of Haryana, as provided in the Act.

October 27, 2016
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No