

Sr. No.113

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

**CWP No. 25352 of 2016
Date of decision:09.12.2016**

Sanjiv Kumar

.....Petitioner

versus

Ishwar Singh and another

.....Respondents

Coram: Hon'ble Mr.Justice Rakesh Kumar Jain

Present: Mr. Amrik Singh, Advocate
for the petitioner.

Mr. Pankaj Midha, Advocate
for the respondents.

Rakesh Kumar Jain, J.(Oral)

This petition is filed against the order dated 29.09.2016 (Annexure P-3) passed by Deputy Commissioner-cum-District Magistrate, Union Territory, Chandigarh on an application filed under Section 22 of the Maintenance & Welfare of Parents and Senior Citizens Act, 2007(for short, 'the Act') for seeking eviction of the petitioner from Shop No. 206/1, Shanti Nagar, Manimajra, Chandigarh and House No. 393/2, Pipliwala Town, Manimajra, Chandigarh.

The petitioner is the son of respondent No.1.

Counsel for the petitioner has argued that in so far as the house is concerned, it was in the name of his mother but the document appended with this petition shows that the property was transferred by way of a transfer deed by mother in favour of respondent No. 1 on 28.11.2014 and therefore, respondent No. 1 became the owner of the said property. In respect of the shop, it is submitted that the petitioner has been paying rent to respondent No. 1 being a tenant over it but no evidence has been led in this

regard. No other argument has been raised.

Consequently, I do not find any reason to interfere in the well reasoned order passed by the Deputy Commissioner-cum-District Magistrate, Union Territory, Chandigarh and the writ petition is thus, hereby dismissed.

9th December, 2016

Shivani Kaushik

[Rakesh Kumar Jain]
Judge

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No