

In the High Court of Punjab and Haryana at Chandigarh.

**CWP-25736 of 2016
Decided on 13.12.2016**

Yadwinder Singh

--Petitioner

Vs.

District Magistrate-cum-Appellate Tribunal, Fatehgarh Sahib & Ors.

--Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Umesh Kumar Kanwar, Advocate, for the petitioner

Rakesh Kumar Jain,J: (Oral)

This petition is filed by the son of respondent No.3 to challenge the order dated 11.6.2014, passed by the Maintenance Tribunal-cum- Sub Divisional Magistrate, Fatehgarh Sahib, on an application filed by respondent No.3 (Mohinder Kaur) under Sections 4,5 and 9 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (for short,'the Act') by which she has been awarded ₹5,000/- per month as maintenance to be paid by the petitioner in equal share with his father Darshan Singh, meaning thereby that the petitioner has to pay ₹2500/- per month as maintenance to his mother. He has also challenged the order dated 29.8.2014 passed in appeal by the Appellate Tribunal, Fatehgarh Sahib, by which the order for maintenance has been upheld.

Learned counsel for the petitioner has submitted that the petitioner is living separately from his father who is looking after her,

therefore, the petitioner is not to pay any maintenance to respondent No.3.

I have heard learned counsel for the petitioner and perused the available record

The petitioner is a 72 years old lady who has to approach the Court for maintenance as she was not being maintained by her husband and son.

After considering the facts and circumstances of the case, Maintenance Tribunal awarded only ₹5000/- per month as maintenance to respondent No.3 which is to be shared by the petitioner with respondent No.4. In my considered opinion, there is no merit in the present petition to interfere in the impugned order.

Dismissed.

13.12.2016
rr

(Rakesh Kumar Jain)
Judge

Whether Speaking/Reasoned:

Yes/No.

Whether Reportable:

Yes/No