

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

CWP No.7297 of 2016
Date of Decision:23.04.2016

Sukhdev Kumar

. . . .Petitioner

Versus

State of Union Territory, Chandigarh and another

. . . . Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Deepak Gupta, Advocate, for
Mr.Jagmohan Bansal, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J.

This petition is filed to challenge the order passed by the District Magistrate, Chandigarh dated 18.2.2016 by which application filed by the petitioner under Section 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short 'the Act'] has been dismissed.

The dispute pertains to house No.1229, Sector 44-B, Chandigarh, which is in possession of the wife of the petitioner, who herself is a senior citizen.

During the course of hearing, learned counsel for the petitioner has submitted that the application was not filed for maintenance but for seeking eviction of the Paying Guest inducted by respondent No.2 in the demised premises.

I have heard learned counsel for the petitioner and after perusal of the available record it is found that the private respondent has categorically urged that she is not keeping any Paying Guest. Even otherwise, if the private respondent has

inducted a tenant in the demised premises and the petitioner is occupying another accommodation, he cannot seek the eviction of the tenant by filing an application under Section 22 of the Act. Hence, the present petition is found to be without any merit and the same is hereby dismissed.

23.04.2016

Vivek

**(RAKESH KUMAR JAIN)
JUDGE**