

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

**CWP No.17421 of 2017
Date of Decision: 08.08.2017**

Rajesh Kumar and another

....Petitioners

Vs.

Sub-Divisional Magistrate, Amritsar and others

....Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: Mr.Sourabh Arora, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed by the son and daughter-in-law of respondent No.3, who has filed an application under Section 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short 'the Act'] for seeking their eviction from the property in dispute. After the application was received, the Deputy Commissioner, Amritsar referred the matter to the Sub Divisional Magistrate in terms of the action plan prepared in view of Section 22(2) of the Act called, the action plain under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for Punjab). It is provided therein that before taking action, the Deputy Commissioner would ask the SDM for a report about the ownership of the property. In this case, the right procedure has been followed by the Deputy Commissioner by referring the matter to the SDM, Amritsar, who had, after enquiry, reported that the property in dispute is owned by respondent No.3 and the petitioners used to beat respondent No.3. After the report was received, the Deputy

Commissioner issued notice to the parties and after hearing them passed the impugned order by which the application made by respondent No.3 has been allowed.

Learned counsel for the petitioner has failed to point out any legal defect in the impugned order for the purpose of interference by this Court and hence, the present petition is hereby dismissed.

08.08.2017
Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*