

CWP No.20470 of 2017

[1]

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

**CWP No.20470 of 2017
Date of decision:08.09.2017**

Jatinderpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Arjun Veer Sharma, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The petitioner has challenged the order dated 09.08.2017 passed by the Deputy Commissioner-cum-Add. District Magistrate, Khanna, on an application filed by respondent no.3, father of the petitioner, under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the "Act"), by which the petitioner has been ordered to be evicted from the residential property No.223, Kidwai Nagar, Ludhiana.

In brief, respondent no.3 is a widower of 85 years of age. He owned two properties. He is living on the ground floor of House No.223, Kidwai Nagar, Ludhiana, whereas the petitioner is in occupation of its first floor. Respondent no.3 filed an application for seeking eviction of the petitioner on the ground that he used to beat him. He has also alleged that the petitioner has already got transferred the area of 160 square yards in his

name illegally from him out of the property no.290, Industrial Area-A, Cheema Chowk, Ludhiana. He has also alleged that the petitioner is not looking after his health by providing medicines etc and, thus, being fed up with his unbecoming and unruly behaviour, it was requested to the District Magistrate to order for eviction of the petitioner so that respondent no.3 can spend rest of his life peacefully. The District Magistrate, got the title of the property verified from the Sub Divisional Magistrate, who informed that respondent no.3 is the owner of the said property. Thereafter, the District Magistrate, keeping in view the facts and circumstances in which respondent no.3 was living and was not ready to tolerate the atrocities of the petitioner any further, allowed the application and ordered eviction of the petitioner from the property of respondent no.3.

Counsel for the petitioner, except for submitting that the petitioner is the last of six siblings and he has not done anything wrong, as alleged by his father, could not make out a case for interference in law.

Thus, there is hardly any reason for this Court to interfere in this petition and hence, the same is hereby dismissed.

September 08, 2017
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned: Yes/No

Whether Reportable: Yes/No