

CWP-27291-2016

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

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CWP-27291-2016.

Decided on: January 9, 2017.

Shrista Devi

.. Petitioner(s)

VERSUS

State of Punjab and others

.. Respondent(s)

*** * ***

CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

*** * ***

**PRESENT Mr.Manjeet Kaur, Advocate,
for the petitioner.**

M.M.S. BEDI, J. (ORAL)

Petitioner claims that she is 85 years old widow and is being harassed by her son Tarsem Lal and his family members who have forcibly constructed a wall and committed theft of her articles from portion of the house occupied by her.

Through the instant petition, the petitioner claims a direction to the District Magistrate, Gurdaspur, for considering the claim of the petitioner.

With the assistance of counsel for the petitioner, I have gone through the grievance of the petitioner in context to the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

After hearing the counsel for the petitioner and going

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through the contents of the representation Annexure P1 dated 15.9.2016, the claim of the petitioner does not appear to fall under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. It appears that the petitioner has got a right of maintenance from the said son under Section 5 of the aforesaid Act regarding which an application under Section 5 of the Act is maintainable.

Counsel for the petitioner, at this stage, seeks permission to withdraw this petition with liberty to the petitioner to file appropriate application with a specific prayer within the ambit of general provisions of law and the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, within a period of 15 days.

This petition is disposed of as withdrawn with an observation that in case any such application, as stated above, is filed and is not considered in accordance with law, it will be open to the petitioner to approach this Court again for any appropriate direction, if permitted, under law.

(M.M.S. BEDI)
JUDGE

January 9, 2017.
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Whether speaking / reasoned
Whether reportable:

Yes / No
Yes / No