

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.25744 of 2017

Date of Decision: November 21, 2017

Arjan Singh Petitioner
Vs.
Addl. Deputy Commissioner and others Respondents

CORAM: - HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present: Mr.N.C. Kinra, Advocate, for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed in order to challenge the order of the Additional Deputy Commissioner(R)-cum-Collector, SAS, Nagar, Mohali by which the application filed by respondent No.2 as the parent in terms of the provision of Section 22(2) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 [for short 'the Act'], has been allowed and the petitioner has been directed to vacate the demised premises.

The whole reliance of the petitioner is upon some mutual settlements as per which the petitioner was allowed to construct the room in the house of respondent No.2 and to live as a licensee. The said mutual settlements have to be established by the petitioner by filing a suit for declaration because it is required to be proved by leading evidence. At present no relief can be granted to the petitioner. The petitioner may, if so advised, file a suit for declaration to prove the mutual settlements on the basis of which he is claiming himself to be the owner of the part of the property by virtue of construction of room and being in possession as a licensee.

Disposed of.

NOVEMBER 21, 2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No