

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

**CWP No.2759 of 2017
Date of decision:15.02.2017**

Gurpal Singh

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Mohinder Singh Joshi, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Learned counsel for the petitioner submits that in an application filed under the Maintenance and Welfare of Parents and Senior Citizen Act 2007 by the private respondent – Surjit Singh, the District Magistrate without hearing the petitioner had ordered for eviction. In this regard, he has drawn the attention of this Court to the order dated 26.10.2016.

I have seen the order and of the view that the order of eviction has been passed at the back of the petitioner. Even summary exercise has to be done, much less, principles of natural justice have to be complied with. Nothing prevented the District Magistrate to call upon the petitioner to contest the application and thereafter could have passed the order. I do not intend to issue notice of motion which unnecessarily drag the senior citizen to the Court and entail into costs of litigation, much less, to defray the costs of litigation and set aside the order dated 26.10.2016 of the District Magistrate by remanding the matter back to him to decide the application

bearing No.58/Maintenance/D.C instituted on 21.09.2016 afresh after hearing the petitioner in accordance with law preferably within a period of 4 months from the date of receipt of certified copy of this order.

Accordingly, the writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

February 15, 2017
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No