

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

CWP No.29743 of 2017
Date of Decision: 22.12.2017

Sandeep Kaur and another

. . . . Petitioners

Vs.

The Presiding Officer-cum-SDM of the Maintenance & Welfare of senior
Citizen Tribunal, Kharar and others

. . . .Respondents

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

Present: Mr.Arvind Thakur, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J.

The petitioners are the son and daughter-in-law of respondent No.3, who have challenged the order dated 27.3.2017 passed by the Maintenance Tribunal under the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short 'the Act'] by which the transfer deed No.8398 dated 11.3.2016 of flat No.47, Astha Enclave, Kharar by respondent No.3 to the petitioners was cancelled on the ground that the petitioners were not taking care of respondent No.3 and the order dated 14.11.2017 by which the Additional Deputy Commissioner (J)-cum-Collector, SAS, Nagar has ordered eviction of the petitioners from Flat No.37-A, Astha Enclave, Kharar within a period of 45 days.

Although, learned counsel for the petitioners has vehemently argued that the impugned orders are patently illegal and the petitioners shall have a great difficulty in arranging for an accommodation but they failed to make out any legal ground for the purpose of interference in the impugned

orders. Order dated 27.3.2017 is passed on an application filed under Section 23 of the Act, which is further open to challenge by way of appeal. Therefore, the writ petition, against the said order, is not maintainable. Insofar as the order dated 14.11.2017 is concerned, which has been passed on an application filed by respondent No.3 under Section 22 of the Act, there is no error in it.

Hence, the present petition is found to be devoid of any merit and the same is hereby dismissed.

22.12.2017

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No