

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

Public Interest Litigation No.42 of 2017
("Samvedana" a Voluntary Social Organization for Welfare of Senior
Citizen, Nagpur .vs. State of Maharashtra and others.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders.

Mr. S.B. Rajak, Advocate with Mr. P.S. Wathore, Advocate for
Petitioner.
Mr. A.S. Fulzele, Addl. G.P. For Respondents.

CORAM : B.P. Dharmadhikari &
Manish Pitale, JJ.
DATED : JANUARY 31, 2018.

Heard for some time.

General grievance of petitioner in relation to non-implementation of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, now does not survive.

However, to support that grievance, an illustration of parents namely Shri Krushnarao Ramchandra Kale and Sau. Vimal Krushnarao Kale has been given. There a Sub Divisional Officer in his capacity as competent authority under the above Act, has passed an order on 8.8.2013 and directed son Rajesh and daughter-in-law Sau. Kusum to pay maintenance of Rs.4000/- per month to parents. Amount is to be deposited in Bank of Canara in account number specified in that order. The said order is still not implemented. It is pointed out that lastly the order was sent to Police Station Officer Ranapratap Nagar Police Station and said Officer has served copy of order

upon Rajesh and Kusum but there is no recovery. Provisions of law are very clear. If amount is not deposited, action in terms of Section 125(3) of the Cr.P.C. needs to be taken. The respondent no.5 - Competent Authority or respondent no.6 Police Station Officer have not taken that action.

In this situation, we direct respondent Nos.5 and 6 to pay costs of Rs.1000/- each to Shri Krushnarao Kale. They shall also within four weeks initiate necessary steps to execute the order dated 8.8.2013. Failure to do so, shall be construed as contempt of this Court.

With liberty to petitioner to approach again if the grievance of Shri Krushnarao Kale is not redressed or then similar grievances of any other senior citizens still survive, we partly allow P.I.L. and dispose it of.

Steno copy of the order is granted.

JUDGE

JUDGE