

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.10998 of 2018 (O&M)

Date of decision: September 07, 2018

Dharminder Singh

...Petitioner

Versus

Sub Divisional Magistrate and another

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. A.S.Shergill, Advocate,
for the petitioner.

Rakesh Kumar Jain, J. (Oral)

This petition is directed against the order dated 18.01.2018 passed by respondent no.1 under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the "Act").

The petitioner is the grandson of respondent no.2 who had allegedly executed two transfer deeds on 01.02.2016 and 10.06.2016 of some residential property in favour of the petitioner. Respondent no.2 filed an application under Section 23 of the Act for annulment of the said transfer deeds on the ground that the petitioner is not maintaining him. The said application has been allowed vide the impugned order. The order passed by the Tribunal is further appealable under Section 16 of the Act, as has been held by this Court in the case of **Paramjit Kumar Saroya vs. The Union of India and another**, 2016(3) RCR (Civil) 146 DB.

Faced with observation, counsel for the petitioner prays for withdrawal of the present petition in order to file appeal under Section 16 of the Act.

Dismissed as withdrawn.

Liberty is granted.

In case any such appeal is filed within a period of 15 days from the date of receipt of certified copy of this order, the Appellate Court shall decide the same on merits *do hors* the issue of limitation.

September 07, 2018
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(Rakesh Kumar Jain)
Judge

Whether speaking / reasoned : Yes/No
Whether reportable : Yes/No