

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 14013 of 2018
Date of Decision: 30.05.2018

DHARAM RAJ **...Petitioner**

VS.

**SUB DIVISIONAL MAGISTRATE AND PRESIDING OFFICER,
MAINTENANCE TRIBUNAL, SIRSA AND ANOTHER** **...Respondents**

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

Present: Mr. Sandeep Punchhi, Advocate,
 for the petitioner.

RAKESH KUMAR JAIN, J. (ORAL)

The petitioner is the grandson of respondent No. 2, who is aggrieved against the order dated 05.12.2017 of the Presiding Officer, Maintenance Tribunal, Sirsa by which an application filed under Section 5 and 23 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (hereinafter referred to as ‘the Act’) has been allowed.

After hearing learned counsel for the petitioner, I am of the considered opinion that the petitioner has a right of appeal under Section 16 of the Act and in this regard reference could be had to the decision rendered by the Division Bench of this Court in the case of Paramjit Kumar Saroya Vs. The Union of India and Another; 2014 AIR (Punjab) 121. Learned counsel for the petitioner has prayed for withdrawal of the present petition with liberty to file an appeal under Section 16 of the Act.

Dismissed as withdrawn.

Liberty granted.

It is needless to mention that in case, if any appeal is filed by the petitioner within a period of 15 days from the date of receipt of certified copy of this order, then the appellate authority shall not raise the issue of limitation and decide the same in accordance with law.

May 30, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking / reasoned :

✓
Yes / No

Whether Reportable :

Yes / No