

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

CWP No.27373 of 2017
Date of Decision: 09.01.2018

Sunita Rani and another

. . . . Petitioners

Vs.

Maintenance Tribunal and others

. . . . Respondents

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

Present: Mr.Ravish Bansal, Advocate,
for the petitioners.

Mr.Raj Kumar, Advocate,
for respondents No.2 & 3.

RAKESH KUMAR JAIN, J.

Petitioner No.1 is the married daughter and petitioner No.2 is the married son of respondent No.2, who have challenged the order dated 23.8.2017 by which the Maintenance Tribunal had directed the petitioners and respondent No.3 to pay ₹3,300/- each per month to respondent No.2 as an interim measure/maintenance from the month of August, 2017.

In short, respondent No.2 is a senior citizen and mother of the petitioners and respondent No.3. She has filed an application for seeking maintenance from her children under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short 'the Act'] in which the Maintenance Tribunal has passed the impugned order on 23.8.2017.

At the time of issuing notice, the petitioners and respondents No.2 & 3 were directed to appear in Court in-person.

The petitioner No.1 has stated that she is a house wife and is not earning independently. Petitioner No.2 has submitted that the

instigation of respondent No.3. Respondent No.2 has categorically stated before me that her children are not looking after her and she is in dire need of maintenance to cope up with her old age problems, be it her medical needs or basic sustenance.

I have heard learned counsel for the parties as well and after perusal of the record, came to the conclusion that there is no error in the impugned order dated 23.8.2017 except the direction issued by the Maintenance Tribunal to petitioner No.1 to pay the maintenance as she has no independent source of income and being a house wife is dependent upon her husband.

In view of the above, the present petition is hereby disposed of with modification in the impugned order dated 23.8.2017 to the extent that the maintenance amount shall be paid by petitioner No.2 and respondent No.3 to the extent of ₹4,000/- each to respondent No.2 and there shall be no liability/responsibility to pay maintenance on petitioner No.1. Rest of the impugned order shall remain the same.

09.01.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No