

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.2988 of 2018 (O&M)
Date of decision: November 29, 2018

Bhag Singh	...Petitioner
Versus	
Deputy Commissioner and others	...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioner.
Mr. Sahil Sharma, DAG, Punjab.
Ms. Supriya Garg, Advocate for respondent No.3.

Rajan Gupta, J.(oral)

Petitioner has impugned the order passed by the authority under section 23 of Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

The petitioner sought cancellation of transfer-deed dated 4.5.2016 on the ground that respondent No.3 was no longer providing basic amenities to him. It appears, the Tribunal dismissed the application on the ground that there was civil litigation pending between the parties. On behalf of the petitioner it has been contended that civil suit filed by the petitioner was withdrawn on 18.01.2017. Thus, there is no impediment in the way of the Tribunal to decide the lis. It has been proposed that the matter be remitted to the same authority for decision afresh.

Learned State counsel has no objection to this.

Under the circumstances, impugned order is hereby set-aside. Matter is remitted to the same authority for decision afresh as per law after affording opportunity of hearing to the parties.

Allowed in these terms.

(RAJAN GUPTA)
JUDGE

November 29, 2018
'Rajpal'

Whether speaking / reasoned	Yes / No
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Whether Reportable:	Yes / No
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