

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.**

CWP No. 30581 of 2018

Date of Decision: December 17, 2018

Charanjit Singh and another

....Petitioners

Versus

Deputy Commissioner-cum-D.M and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Ish Puneet Singh, Advocate
for the petitioners.

Mr.Sahil Sharma, DAG, Punjab

Rajan Gupta, J (Oral)

Challenge in this petition is to order dated 3.7.2018 passed by Sub Divisional Magistrate, Ludhiana West exercising the powers under Senior Citizens Act, 2007. The order has been impugned primarily on the ground that the Act does not empower SDM to decide application under Section 22 of Senior Citizens Act, 2007 and Rule 23 of The Punjab Maintenance & Welfare of Parents and Senior Citizen Rules, 2012. Plea is not opposed by learned State counsel. According to him, there is jurisdictional error apparent on record.

In view of above, impugned order is set-aside. Matter is remitted to the concerned District Magistrate for decision afresh as per law.

Petition is allowed in these terms.

**(Rajan Gupta)
Judge**

December 17, 2018

BB

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No