

CWP No.5667 of 2018

[1]

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

CWP No.5667 of 2018

Date of decision: March 09, 2018

Sukhdev Singh and another

...Petitioners

Versus

District Magistrate, Jalandhar and another

...Respondents

Coram: Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Surinder Sharma, Advocate,
for the petitioners.

Rakesh Kumar Jain, J.

The petitioners are the son and grandson of respondent no.2 who have preferred this petition against the order of the District Magistrate, Jalandhar dated 03.01.2018, by which application filed by respondent no.2 under Section 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereafter referred to as the "Act") read with Rule 23 of the Punjab Maintenance and Welfare of Parents and Senior Citizen Rules, 2012 has been allowed in regard to their eviction from House No.780/1, New Gopal Nagar, Jalandhar-I.

Counsel for the petitioners has vehemently argued that the application filed under Section 22-C of the Act was motivated but after taking into consideration the finding recorded by the District Magistrate, I am of the considered opinion that the house in dispute, as stated by learned counsel for the petitioners, is built up on 3 Marla land and comprises of only two rooms. Respondent no.2, who is the owner of the house and is 80 years of age, has

been thrown out of her house by the petitioners, therefore, the District Magistrate has rightly passed the order of their eviction from the house in question for the protection of the property of the senior citizen/respondent no.2 to enjoy the shelter created by her for her old age, without any kind of harassment by her children/petitioners.

Thus, there is no ground for interference in this petition and hence, the same is hereby dismissed being denuded of any merit.

No costs.

March 09, 2018
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(Rakesh Kumar Jain)
Judge

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