

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

CWP No.6624 of 2018
Date of Decision: 19.03.2018

Shiv Kumar and another

..... Petitioners

Vs.

District Magistrate, Gurugram and another

..... Respondents

CORAM: HON'BLE MR.JUSTICE RAKESH KUMAR JAIN

Present: - Mr.Atul Yadav, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J. (ORAL)

This petition is filed against the order dated 18.01.2018 passed by the District Magistrate, Gurugram by which an application filed by the father of the petitioners in terms of Section 22(2) of the Haryana Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short 'the Act'] and Haryana Maintenance and Welfare of Parents and Senior Citizen Rules , 2009 [for short 'the Rules'] read with Action Plan for the Protection of Life and Property of Senior Citizen notified by the Haryana Government on 26.5.2015 has been allowed and the petitioners have been ordered to vacate the demise premises.

There is no dispute that respondent No.2 is the owner of the house in question. The application filed under Section 22(2) of the Act is on the pretext that the petitioners are humiliating respondent No.2, who is not only their father but also a senior citizen. The District Magistrate, Gurugram passed the order of eviction because the Act provides protection to parents

and senior citizens from son, daughter or legal heir, who are in unauthorized occupation of the house and are causing any kind of harassment/inconvenience with their behaviour.

Learned counsel for the petitioners has only argued that the petitioners have no other place to live but has failed to point out any illegality or infirmity in the impugned order.

In view of the aforesaid facts and circumstances, I do not find any merit in the present petition and the same is hereby dismissed though without any order as to cost.

19.03.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking /reasoned : Yes/No

Whether Reportable : Yes/No