

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

CWP No. 7130 of 2018

Date of Decision: 26.03.2018

PARAS RAM

.....Petitioner

V/S

STATE OF HARYANA AND OTHERS

.....Respondents

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

Present Mr. Jatinder Pal Singh Viridi, Advocate,
for the petitioner.

RAKESH KUMAR JAIN, J. (Oral)

The petitioner has approached this Court for seeking a direction to respondent No. 2 i.e the Tribunal constituted under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, before which the petitioner has filed an application for eviction of respondents No. 3 and 4 (sons of the petitioner) in terms of Section 22 (2) of the Act. As the said application is not making any headway and is pending since long, the petitioner has prayed that a direction be issued to respondent No. 2 to expedite the hearing and decide the matter as early as possible.

After hearing learned counsel for the petitioner, I am of the considered opinion that the application filed before respondent No. 2 under Section 22 (2) of the Act is not maintainable as the power vest only and exclusively with the District Magistrate to pass an order of eviction against the sons of the petitioner in terms of the provisions of the action plan pertaining to the State of Haryana.

Faced with these observations, learned counsel for the petitioner has prayed for withdrawal of the present petition with further liberty to

withdraw the application filed before respondent No. 2 and to file the same before the District Magistrate in accordance with law.

Dismissed as withdrawn.

Liberty granted.

March 26, 2018

Ess Kay

(RAKESH KUMAR JAIN)
JUDGE

<i>Whether speaking / reasoned</i>	:	✓ Yes / No
<i>Whether Reportable</i>	:	Yes / No