

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

CWP No.925 of 2018
Date of Decision: 18.01.2018

Sanjay and another

. . . . Petitioners

Vs.

State of Haryana and others

. . . . Respondents

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

Present: Mr.Saurabh Bajaj, Advocate,
for the petitioners.

RAKESH KUMAR JAIN, J.

The petitioners are the son and daughter-in-law of respondent No.5, who had filed an application before District Magistrate, Rewari for seeking their eviction from her house alleging their misbehavior. The District Magistrate verified about the ownership of respondent No.5 through the Tehsildar, who had reported that vide Vasika No.121 dated 15.04.1997, respondent No.5 had purchased the land falling in Khasra No.123/2/2 (0-2) on which she had constructed her house. Respondent No.5 had produced copy of the MLR dated 1.12.2017 to substantiate her allegation of misbehaviour on the part of the petitioners, who had allegedly given beatings to her on 1.12.2017. She has alleged that the petitioners are not looking after her and are not giving any kind of maintenance.

On the other hand, the petitioners have alleged that they have been looking after respondent No.5, providing maintenance from time to time and that the house was purchased in the name of respondent No.5 with the expenses incurred by them. The other allegations were also denied.

The District Magistrate, however, came to the conclusion that the petitioners have been causing harassment and inconvenience with their presence in the house of respondent No.5 as there are allegations also against them of beating her which has allegedly been proved by her by way of producing MLR, therefore, the eviction order has been passed in terms of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 [for short 'the Act'].

Learned counsel for the petitioners has though argued vehemently in order to challenge the correctness of the impugned order but has failed to prove on record by any evidence that the house in question does not belong to respondent No.5 and that the allegations made by her against the petitioners regarding their misbehaviour much less the beating etc. were incorrect. Thus in the absence of any perversity in the impugned order, I do not find any reason to interfere in this petition and the same is hereby dismissed.

18.01.2018

Vivek

(RAKESH KUMAR JAIN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No