

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-16167-2019 (O&M)
Date of Decision: 01.07.2019

Baldev Singh & another

--Petitioners

Versus

Additional Deputy Commissioner-cum-Collector

& others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Ms. Amarjit Kaur, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J (Oral)

The instant writ petition is directed against the order dated 28.3.2019 (Annexure P-5) passed by the Addl. Deputy Commissioner-cum-Collector, Rupnagar and in terms of which an application moved by the petitioners herein under Sections 21 and 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, has been dismissed.

Counsel for the petitioners has been heard at length and the case paper book has been perused.

Petitioners herein are husband and wife and are stated to be senior citizens. The private respondents herein and against whom the application had been moved under the provisions of the 2007 Act are stated to be the brothers/nephews as also wives of nephews of petitioner no.1.

During the course of arguments counsel would concede that a civil dispute is pending inter se the parties inasmuch as a suit for exclusive possession of the suit land already stood instituted at the hands of the present petitioners and which is pending adjudication before the competent court. It is also not disputed that the land in question is ancestral in nature and the dispute inter se is between brothers and who also happen to be

senior citizens.

Under such circumstances no infirmity is found in the impugned order dated 28.3.2019 (Annexure P-5) holding the application moved by the petitioners under the 2007 Act to be not maintainable and for the petitioners to pursue their claim in the civil suit that already stood instituted.

No merit, petition is dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

01.07.2019

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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No