

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

CWP No.23929 of 2019 (O&M)
Date of decision:-02.09.2019

Dev Raj

.....Petitioner

versus

State of Punjab and others

.....Respondents

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

Present:- Mr. Amit Bhanot, Advocate for the petitioner.

TEJINDER SINGH DHINDSA, J.(ORAL)

Petitioner seeks a mandamus for directing the official respondents to act upon the representation at Annexures P-3 and P-4 submitted by the petitioner so as to ensure eviction of private respondent No.4 from the residential premises in view of the order passed by the Additional Deputy Commissioner-cum-Appellate Tribunal, Rupnagar dated 08.11.2017 (Annexure P-1).

Counsel would submit that the order dated 08.11.2017 (Annexure P-1) was passed pursuant to an application having been filed by the petitioner under the Welfare and Maintenance of Parents and Senior Citizen, 2007 Act, seeking eviction of respondent No.4 namely Ashok Kumar i.e. his own son. The application having been allowed, the order of eviction was challenged before this Court in CWP No.4523 of 2018 and which also stands dismissed in view of order dated 09.05.2019 at Annexure P-2.

It is contended that till date the order of eviction has not been acted upon and respondent No.4 is still occupying the premises. It is in

such regard that the representation had been filed but no action had been taken thereupon.

Having heard counsel for the petitioner at length, this Court is of the considered view that an Action Plan under the 2007 Act for the State of Punjab, has been duly notified on 27.11.2014.

Para 3 of the Action Plan deals with enforcement of orders that may have been passed even with regard to eviction under the provisions of the 2007 Act.

As such while declining to interfere in the instant writ petition, liberty is granted to the petitioner to pursue his remedy as per the Action Plan notified on 27.11.2014 for the State of Punjab.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

02.09.2019

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No