

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

**CWP-17935-2020(O&M)
Date of Decision:16.12.2020**

Mukul Batra

..... Petitioner

versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Akshay Kumar Jindal, Advocate for the petitioner.

Mr.Saurabh Mohunta, DAG, Haryana.

Mr.Shubhnit Hans, Advocate for respondents No. 3 and 4.

TEJINDER SINGH DHINDSA, J. (ORAL)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

The instant writ petition was preferred raising a short point that an application filed by respondents No.3 and 4 (parents of the petitioner) under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act' for short) is being entertained by the 2nd respondent i.e. Sub Divisional Magistrate, Badshahpur, District Gurugram in his individual capacity and not at the hands of a duly constituted Maintenance Tribunal as envisaged under Rule 3 of the Haryana Maintenance of Parents and Senior Citizens Rules, 2009.

The petition had come up for preliminary hearing on 29.10.2020 and while issuing notice of motion it was directed that no final orders be passed by the 2nd respondent pursuant to the application preferred by private respondents No. 3 and 4.

A written statement of the Additional Director, Social Justice and Empowerment Department, Haryana on behalf of respondent No.1 has been filed and placed on record.

Appended along with the reply at Annexure R-2 is a notification dated 08.12.2020 issued by the Haryana Government, Social Justice and Empowerment Department in terms of which the three member (one official member and two non-official members) Maintenance Tribunal/Appellate Tribunal stands reconstituted as per provisions of the Act and the Rules made thereunder.

In view of the above grievance of the petitioner stands redressed.

Petition is disposed of having been rendered infructuous.

Needless to observe that further proceedings in the application moved by private respondents No.3 and 4 under the Act would be taken up for consideration by the duly constituted Tribunal as per notification dated 08.12.2020 (Annexure R-2 appended along with the reply filed by the State).

Pending applications, if any, shall also stand disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

16.12. 2020
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No