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

CWP-24682-2019

Date of Decision: January 09, 2020

Smt. Sama Kaur through her GPA

..... Petitioner(s)

Versus

Commissioner, Gurugram Division, Gurugram and others

..... Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE LISA GILL

Present: Mr. P.R. Yadav, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Punjab.

LISA GILL, J.

This writ petition has been filed seeking issuance of a writ in the nature of mandamus directing the Commissioner, Gurugram Division, Gurugram to transfer the appeal filed by the petitioner pending before the Appellate Authority, Narnaul to any other district.

It is an admitted position that the petitioner has filed an application under the Maintenance and Welfare of Parents & Senior Citizens Act, 2007, which was finally decided on 08.04.2019. An appeal was preferred by the petitioner against this order on 16.05.2019 before the Appellate Tribunal (District Commissioner), Narnaul. However, the Officer, who had passed order dated 08.04.2019 in his capacity as Chairman of the Maintenance and Welfare Tribunal-cum-SDM, Narnaul, was promoted as Deputy Commissioner, Narnaul and thereby, by virtue of his office, assumed the power of the Appellate Authority as well. In this view of the matter, the Director, Social Justice and Empowerment

Department Haryana/Competent Authority was directed to take a final view with regard to transfer of the appeal preferred by the petitioner to any other appropriate authority.

Learned counsel for the State submits that it has been decided to transfer the appeal preferred by the petitioner before the Appellate Authority, Rewari. Photocopy of the communication dated 24.12.2019 addressed by the Director, Social Justice & Empowerment Department, Haryana in this respect, furnished in Court today, is taken on record as Annexure R-3.

Learned counsel for the petitioner in the wake of the circumstances as above submits that this petition has now been rendered infructuous and same may be disposed of as such.

Dismissed as infructuous.

January 09, 2020.
'Sunil'

(LISA GILL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No