

Vidya Amin

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.2400 OF 2021

Ashish Vinod Dalal & Ors.

... Petitioners

V/s.

Vinod Ramanlal Dalal & Ors.

... Respondents

Mr.Yashpal Thakur i/b. Mr.Surendra Raja with Mr.Mukund Pandya, for the Petitioner.

Mr.Abhay Khandeparkar, Senior Advocate i/b. Mr.Kunal Tiwari, for Respondent Nos.1 and 2.

Ms.Vaishali Nimbalkar, AGP for the State.

CORAM : G.S.KULKARNI, J.

(In Chamber at 2.10 p.m.)

DATE : 16 September, 2021.

PC:

1. Not on board, taken on board for speaking to the minutes of the order dated 15 September 2021.

2. In paragraph (1) of the said order, the following portion be deleted:

“1. This is a sad case The operative part of the impugned order reads thus:”

and substituted by the following paragraph:

“1. This is a sad case where petitioner no.1 alongwith his wife-petitioner no.2 and their daughter-petitioner no.3 have dragged his parents-respondent nos.1 and 2, who are aged 90 years and 89 years respectively, in protracted legal proceedings. It appears that as a last resort, respondent nos.1 and 2 (hereinafter referred to as “parents”) invoked the provisions of

Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short “the Senior Citizens Act”) on which the impugned order has been passed by the Presiding Officer of the Maintenance Tribunal (for short “**the tribunal**”) granting relief to the parents, against which the petitioners have filed this petition. The impugned order reads thus:-”

3. In paragraph (2), eighth line the word “the” be deleted; and in tenth line the words “the possession” be deleted and be substituted by “possession”.
4. On page 4 in paragraph (5), sixth line the word “that” be deleted.
5. On page 6, first line, the words “nos.1 ad 2.” be deleted and substituted by “nos.1 and 2.”
6. On page 8, second last line, the letter “a” be deleted.
7. On page 10 in paragraph (14) ninth line the word “of” be deleted and substituted by “to them”.
8. Order be corrected accordingly, and corrected copy be made available to the parties.

(G.S.KULKARNI, J.)