

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

CWP-5227-2021

Date of Decision: 05.03.2021

Swaraj Beri

...Petitioner

V/s

Additional Deputy Commissioner cum Maintenance Tribunal and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Ms. Deepa Negi, Advocate,
For the petitioner.

Mr. Aditya Pal, Advocate,
For the respondents.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Grievance of petitioner, a widow and senior citizen aged 82 years is that despite the arguments having been heard on 16.01.2020 the application filed by her under Section 21/22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007(for brevity, 2007 Act) seeking protection for her life and property, neither the case has been disposed of nor it has been taken up for hearing ever since.

2. The long and short of the grievance of the petitioner, therefore, is that despite her being in dire need of protection her life and property, steps are not being taken in accordance with law by the Tribunal to do the needful. Despite the arguments having been heard way back, more than a year ago, the matter is being kept pending while on the other hand, petitioner continues to suffer the undue harassment and mental agony.

3. Learned counsel for the petitioner contends that she has specific instructions to state that on the last date of hearing on 16.01.2020, the

Tribunal had verbally conveyed it to the parties that the application of the Senior Citizen had been allowed and the detailed orders shall follow soon. Notwithstanding, the written orders have not been conveyed till date.

4. Ordinarily, this Court would not have interfered in extraordinary writ jurisdiction merely on the ground of delay caused by over occupation, in disposal of the cases. This Court is conscious of the fact that respondent No.1 is a *quasi* judicial body, being a Tribunal under 2007 Act, is also discharging the administrative duties which have been multiplied manifold during pandemic times. Certain delays are, therefore, naturally bound to happen in disposal of the pending matters.

5. Be that as it may, without commenting on the veracity of the above contention of the learned counsel for the petitioner, writ petition is disposed of with an observation that the pending application filed by the petitioner before the Tribunal be disposed of, in accordance with law, as expeditiously as possible, but not later than 3 months from today.

4. Disposed of.

March 05, 2021
Vandana/ Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No