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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRWP-8236-2021

Date of Decision: 01.09.2021

Nand lal

.. Petitioner

Vs.

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Katoch, Advocate for the petitioner.

Mr. Sukhdeep Parmar, DAG, Haryana.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Article 226 Constitution of India for issuance of directions to respondent Nos.1 to 3 to protect his life and liberty from the hands of respondent No.4 and further seeking eviction order against him from House No.1287, first floor, Sector-15, Panchkula.

Learned counsel for the petitioner has argued that the petitioner, who is a senior citizen, is being neglected by his son, namely, Manish (respondent No.4) and his petition for maintenance before the District Magistrate, Panchkula, under the provisions of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 along with application for protection of life and liberty (Annexure P-2) has not been entertained.

Considering the grievance and the nature of relief claimed by the petitioner before the District Magistrate, Panchkula, the present criminal writ petition is not maintainable, as the alternative remedy of civil writ petition is available.

Apart from it, learned State counsel has submitted that a

complaint given by the petitioner before the police was also looked into and his statement was recorded on 29.07.2021, who willingly afforded three months period to his son and his family to vacate the house. Learned State counsel has produced the statement dated 29.07.2021 of the petitioner. According to him, for the time being, the petitioner has no cause of action to maintain any petition.

In view of the above, no ground is made out for exercise of extra ordinary writ jurisdiction.

Dismissed.

01.09.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No