

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(242)

CRWP-8230-2020

Date of decision: - 04.10.2021

D.S.Yadav

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Ganesh Chand Sharma, Advocate
for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana for respondents No.1 to 3.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing respondents No.1 and 3 to protect the life and liberty of the petitioner from the hands of respondent No.4, who is his elder son.

In response to the notice issued by this Court, State filed an affidavit dated 10.02.2021 of Assistant Commissioner of Police, Badkhal, Faridabad.

When the matter came up for hearing on 17.09.2021, counsel for the petitioner submitted that even after the filing of the said affidavit, respondent No.4 has again physically assaulted the petitioner, who is 80 years old and turned him out from his residence and he is now living at an Old Age Home.

This Court called upon the State to file a fresh affidavit after making enquiry, which has been filed, relevant extract of which is reproduced here-under:-

“2. That pursuant to the order dated 17.09.2021, an enquiry has been made and on 23.09.2021 the petitioner was approached who have in writing his own that “I am living presently in Old Age Home (Virdh Ashram) Village Pali, Faridabad for last sometime. I have come here of my own due to the fact that my elder son Sandeep had not only used rough language and there was vulgarity in his talks. I used to go home occasionally but he does not meet me there. I also do not know where does he live. His mother never told me his address even after my persuasion.

Recently I did not make any complaint against my son Sandeep. As and when he is caught, he should be advised to behave as a gentleman and civilized citizen”.

3. That on the same day, i.e., 23.09.2021, statement of Smt. Kiran Yadav (wife of the petitioner) has been recorded who in her statement stated that the petitioner is living at Old Age Home of his own free will. Her son (Sandeep/respondent No.4) does not do anything with the petitioner and she is unaware where does he live. Smt. Kiran Yadav further stated that the petitioner keeps harassing them without any reason and her son Pardeep is feeble minded. The petitioner does not give money to them for maintenance.”

In view of the above affidavit, no further orders are called for.

Petition is disposed of.

(SUVIR SEHGAL)
JUDGE

04.10.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No