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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.13492 OF 2021

SEVANAND BANSIDHAR GALANDE
VERSUS
THE SUB DIVISIONAL OFFICER AND OTHERS

...
Mr A. R. Tapse, Advocate for petitioner;
Mr A. A. Jagatkar, A.G.P. for respondent/State

CORAM : SMT. BHARATI DANGRE, J.

DATE : 21st January, 2022

PER COURT:

1. Heard the learned Counsel for the petitioner and perused the memo of the writ petition.

The petitioner is the foster son of one Radhabai Galande, who has approached the competent authority by invoking the provisions of Senior Citizens Act (the said Act), seeking maintenance from him and two other sons, from whom she is seeking maintenance of Rs.15,000/- each.

2. On being served, the present petitioner filed an application on 26/10/2021, where he sought details of account of the applicant from the concerned Bank, as his case is to the effect that his father in his lifetime and the non applicant have deposited

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huge amount in her account and she is engaged in money lending business and also has agricultural income to her credit, as she is cultivating the land belonging to the family.

The grievance of the petitioner is the said application has not been taken up for consideration by the competent authority and even is not reflected in Roznama, which she has been placed on record.

The learned Counsel state that the competent authority has now placed the application filed by Radhabai, for further hearing on 25/01/2022.

The application filed by the present petitioner is placed on record at Annexure 'B' along with his written statement at Annexure 'C'.

3. It is necessary for effective adjudication of the proceedings before the competent authority that the application along with the defence of each of the respondents has to be carefully considered before any order is passed under the provisions of the said Act granting maintenance.

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4. In this case, the applicant has taken out an application and it is necessary for the competent authority to pass necessary orders on the same, either he can reject the same or allow the same but if application is filed it necessarily must be adverted to by the competent authority.

5. With the aforesaid observations being recorded, the Sub-Divisional Officer / competent authority is expected to take appropriate steps. There is no need to say anything more. The writ petition stands disposed of.

(SMT. BHARATI DANGRE, J.)

sjk