

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

CWP-19356-2019 (O&M)
Date of decision: July 04, 2022

Jit Kaur

....Petitioner

versus

Baljit Singh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Tarun Singla, Advocate for the petitioner.

Mr. Kanwal Goyal, Advocate for respondents No.1 and 2.

Mr. P.S. Bajwa, Addl. A.G., Punjab.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned orders dated 28.11.2017 (Annexure P-11) and 20.03.2019 (Annexure P-15) passed by respondent Nos.3 & 4 respectively, under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, whereby, respondent No.3 has dismissed the application filed by the petitioner for cancellation of transfer deeds.

2. It transpires that during pendency of the writ petition, senior citizen-Petitioner, at whose instance, the Maintenance/ Appellate Tribunal had passed the impugned orders, has since expired as conveyed by learned counsel for respondents No.1 and 2. Writ proceedings are thus rendered infructuous as senior citizen's right to seek benefit under the special statute abates on his/her death.

3. It is made clear that protection qua life and property accorded to a senior citizen was/is co-terminus with his/her life. Accordingly, parties/legal heirs are left to seek their civil remedy as may otherwise be available under law, since they are not entitled to seek any benefit under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

4. It will be open to the heirs/ successors of the deceased senior citizen to challenge the impugned gift/ transfer of property by her. Such a challenge/claim, if preferred, shall be adjudicated by competent court, in accordance with law, without being influenced by this order and/or impugned orders dated 28.11.2017 (Annexure P-11) and 20.03.2019 (Annexure P-15).

5. Disposed of.

(ARUN MONGA)
JUDGE

July 04, 2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No