

101

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

**CM-12222-CWP-2022 in/and
R.A. No.CW-157 of 2022 in
C.W.P. No.29487 of 2017
Date of Decision: 24.08.2022**

Sohan Singh and another

.....Petitioners

Versus

Deputy Commissioner-cum-District Magistrate, Khanna and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Vaibhav Sehgal, Advocate
for the applicants-LRs of respondents No.3 & 4.

Mr. Harkanwar Jeet Singh, A.A.G., Punjab.

Mr. Rahul Rampal, Advocate
for the non-applicant-petitioners.

ARUN MONGA, J. (ORAL)

CM-12222-CWP-2022

For the reasons stated, the application is allowed subject to all just exceptions. Documents Annexures R-1 to R-5 are taken on record.

R.A. No.CW-157 of 2022

This review application has been filed to review order dated 27.07.2022.

2. My attention has been drawn to a Division Bench judgment of Kerala High Court in the matter of *Antony Scaria and others vs. The District Collector, Kottayam and the Maintenance Appellate Tribunal and others*,

2020 (3) KLT 436 as well as a Full Bench judgment of the same Court titled as *Subhashini and another vs. The District Collector, Kozhikode and another, 2020(4) R.C.R. (Civil) 562*, which is on the same lines as opined by me in the order under review. Therefore, I see no ground to change my opinion as has been endeavored by the learned counsel for the review applicants-respondents No.3 & 4. However, order under review is clarified to the extent that while it is open to the parties to seek recourse to their legal remedies as may be available for crystallization of their rights qua the estate/property of the deceased senior citizen, but until the finality of such recourse, the status-quo qua property shall be maintained and the orders passed by the Maintenance Tribunal/Appellate Tribunal shall continue to subsist, subject of course, to what is opined/held by the competent court. It is clarified that status-quo qua the property shall also include status quo qua the title/conveyance deed executed in the name/s of the non-applicant-petitioners, during the lifetime of the senior citizens.

3. Review application stands disposed of, accordingly.
4. Pending application, if any, also stands disposed of.

(ARUN MONGA)
JUDGE

August 24, 2022
ashish

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No