

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

CWP-18988-2017 (O&M)

Date of decision: July 04, 2022

Narinderjit Singh

....Petitioner

versus

The Presiding Officer-cum-SDM and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

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

Mr. Raj Kumar, Advocate
for respondents No.2 and 3.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned order dated 29.03.2017 (Annexure P-6) passed by respondent No.1 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, whereby, respondent No.1 has ordered the petitioner to pay monthly maintenance of Rs.5,000/- per month to respondent No.2.

2. It transpires that during pendency of the writ petition, senior citizen-Respondent No.2, at whose instance, the Maintenance Tribunal had passed the impugned order, has since expired as conveyed by learned counsel for the petitioner. The writ proceedings are rendered infructuous as senior citizen's right to seek benefit under the special statute abates on his 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 him. 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 order dated 29.03.2017 (Annexure P-6).

5. Disposed of.

(ARUN MONGA)
JUDGE

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