

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

CWP-24224-2021 (O&M)

Date of decision: May 26, 2022

Amar Chand

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Kamaldeep Singh Sodhi, Advocate for the petitioner.

Mr. Abhay Pal Singh Gill, AAG Punjab.

None for respondent No.4.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for setting aside order dated 17.03.2021 (Annexure P-2) and order dated 07.09.2021 (Annexure P-4) passed by respondent No.2.

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, and therefore, the 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 order dated 17.03.2021 (Annexure P-2) and order dated 07.09.2021 (Annexure P-4) passed by respondent No.2.

5. Disposed of.

(ARUN MONGA)
JUDGE

May 26, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No