

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

CWP-33696-2019 (O&M)

Date of decision: July 04, 2022

Mahesh Kumar

....Petitioner

versus

Additional District Magistrate and another

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Sandeep K. Sharma, Advocate for the petitioner.

Mr. P.S. Bajwa, Additional Advocate General, Punjab.

Mr. Deepak Aggarwal, Advocate
for respondent No.2.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari for quashing impugned order dated 14.05.2019 (Annexure P-6) passed by respondent No.1 under Sections 3, 11, 21, 23 & 27 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, whereby, Respondent No.1 has accepted the petition filed by Respondent No.2-Senior Citizen for eviction of petitioner-son.

2. It transpires that during pendency of the writ petition, senior citizen-Respondent No.2, in whose favour the Maintenance Tribunal had passed the impugned order, has since expired as conveyed by learned counsel for the petitioner. Writ proceedings are thus rendered infructuous.

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 14.05.2019 (Annexure P-6).

5. Disposed of.

6. Pending application, if any, also stand disposed of.

(ARUN MONGA)
JUDGE

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