

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 WRIT PETITION NO.5106 OF 2022

RAJENDRA NARAYAN TELORE
VERSUS
NARAYAN BAPUJI TELORE DECEASED AND OTHERS

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Advocate for Petitioner : Mr. Dixit Sushant V.
Advocate for Respondent No.2:Ms.Ranjita Barhate h/f Mr. U.I.Momale

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CORAM : ARUN R. PEDNEKER, J.
DATE : 11th January, 2023

PER COURT :

1. The petitioner is the son of respondent No.2. The petitioner is challenging the order passed in favour of the respondent No.2 by the Tribunal constituted under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. As the petitioner contends that there is no appellate forum provided under the Act for the children, he has filed the present writ petition.

2. This issue has been dealt with and decided by a Division Bench of Punjab and Haryana High Court in the matter of *Paramjit Kumar Saroya Vs. The Union of India and another*, reported in AIR 2014 Punjab and Haryana, 121. The Court has held that the appeal under Section 16 is also maintainable at the instance of the aggrieved party.

The said Judgment has also been accepted by this Court in the case of *Nana Bhaskar Patil vs. Bhaskar Suryaji Patil and others*, Writ Petition No.3818 of 2022, decided on 01/07/2022.

3. The learned Advocate for the petitioner further submits that Section 16 does not give a right of appeal to the child and it is only to the Senior Citizens or parents, however, this issue has been dealt with in the above referred Judgment in *Paramjit Kumar Saroya (Supra)*.

4. In view of the above, this writ petition is disposed of with liberty to the petitioner to approach before the appropriate forum.

(ARUN R. PEDNEKER, J.)

vj gawade/-.