

CWP-496-2022

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2023:PHHC:123067

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-496-2022

Date of decision : 19.09.2023

Jarnail Singh

... Petitioner

Versus

Appellate Tribunal under the Maintenance and Welfare of Parents and Senior Citizen Act and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.L.S. Sidhu, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab
for respondents no.1 and 2.

Ms.Rajni Gupta, Advocate and
Mr.Ankush Singla, Advocate
for respondent no.3.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of appropriate writ, orders or directions especially a writ in the nature of certiorari quashing the order dated 22.01.2020 (Annexure P-10) passed by respondent no.1 and order dated 31.01.2019 (Annexure P-8) passed by respondent no.2.

2. Short reply has been filed by the State on behalf of respondent nos. 1 and 2. The same is taken in record.

3. On 01.02.2022, a coordinate Bench of this Court had stayed the operation of the order subject to the petitioner clearing the arrears of maintenance in favour of respondent no.3 within a period of four weeks

from the said date. The said order was continued on 08.07.2022 but not on 29.07.2022. On 10.08.2023, the following order was passed by this Court:-

“Learned counsel appearing for respondent No.3 has submitted that the petitioner is not paying the interim maintenance.

Learned counsel for the petitioner prays for an adjournment to get instructions in the said matter.

Adjourned to 22.08.2023.

To be taken up at 12.00 pm.

10.08.2023.”

4. Learned counsel for the petitioner has submitted that in spite of his efforts, he is not able to get in touch with the petitioner so as to rebut the plea raised by respondent no.3.

5. In view of the same, the petition is dismissed for non-compliance of the orders passed by this Court.

6. It is made clear that liberty is granted to the petitioner to seek revival of the petition in case the petitioner annexed the demand draft of the entire amount of maintenance due to respondent no.3 in the name of respondent no.3 as per the impugned order.

(VIKAS BAHL)
JUDGE

September 19, 2023.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No