

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH

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CWP-8738-2023

Date of decision : 20.09.2023

Parvez Allam and another

... Petitioner

Versus

Sub Divisional Magistrate and another

... Respondents

***CORAM: HON'BLE MR. JUSTICE VIKAS BAHL***Present: Mr.Naren Pratap Singh, Advocate  
for the petitioner.Ms. Rajni Gupta, Addl.A.G. Haryana  
for respondent no.1.Mr.Sherry K. Singla, Advocate  
for respondent no.2.**VIKAS BAHL, J.(ORAL)**

1. This is a civil writ petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned order dated 20.07.2022 (Annexure P-1).

2. Learned counsel appearing for respondent no.2 has submitted that the order has been passed by the Sub Divisional Magistrate/Maintenance and Welfare Tribunal and thus, the same is appealable under Section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (in short "Act 2007"). It is further submitted that in view of the law laid down by the Hon'ble Division Bench of this Court in ***Paramjit Kumar Saroya Vs. Union of India and another***, reported as ***2016(3) RCR (Civil) 146*** that any person including the petitioner who is

aggrieved of the order, is entitled to file an appeal under Section 16 of the

Act 2007.

3. Learned counsel for the petitioner has submitted that in view of the same, the petitioner be permitted to withdraw the present petition with liberty to file an appeal under Section 16 of the Act.

4. In view of the statement made by learned counsel for the petitioner, the present petition is dismissed as withdrawn with the aforesaid liberty.

(VIKAS BAHL)  
JUDGE

September 20, 2023  
*Davinder Kumar*

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|-----------------------------|--------|
| Whether speaking / reasoned | Yes/No |
| Whether reportable          | Yes/No |