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

CM-9548-CWP-2023 in/and
CWP-9760-2023 (O&M)
Date of decision: 01.08.2023

Kamal Kumar Aggarwal

...Petitioner

Versus

Sub Divisional Officer (C)-cum-Presiding Officer, Maintenance Tribunal and
others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Vineet Sehgal, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana
for respondent No.1.

Mr. Karamveer Singh Banyana, Advocate
for respondent Nos.2 and 3.

VIKAS BAHL, J. (ORAL)

CM-9548-CWP-2023

1. This is an application filed under Section 151 of CPC for preponement of the date of hearing in the main case which is now stated to be listed for 05.10.2023 to an early date.

2. For the reasons stated in the application which is duly supported by an affidavit, the same is allowed and the date of hearing in the main case is preponed from 05.10.2023 to today and the same is taken on Board today itself for final disposal.

Main case

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 of order dated 13.04.2023 (Annexure P-1) passed by respondent No.1.

2. On 25.07.2023, this Court had passed the following order:-

*“Learned counsel for the respondents has pointed out that in the present case, the order passed by the Sub Divisional Officer (C)-cumPresiding Officer, Maintenance Tribunal for Maintenance and Welfare of Parents and Senior Citizens Panchkula is appealable under Section 16 of the of The Maintenance And Welfare Of Parents And Senior Citizens Act, 2007 keeping in view the judgment passed 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**.*

Learned counsel for the petitioner prays for a short adjournment to get instructions in the matter.

Adjourned to 01.08.2023.

To be taken up at 01:45 PM.

It is made clear that no further adjournment would be granted.”

3. Learned counsel for the petitioner seeks permission of this Court to withdraw the present Civil Writ Petition with liberty to the petitioner to file statutory appeal, in accordance with law.

4. In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

5. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

01.08.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No