

102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-12371-2023

Date of decision : 01.06.2023

Santosh Devi and another

...Petitioners

Vs.

Additional Deputy Commissioner-
cum-Additional District Magistrate
Ambala and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Nidhi Bansal, Advocate for the petitioners.

MANOJ BAJAJ, J.

This writ petition has been filed under Article 226 Constitution of India for issuance of a writ in the nature of certiorari/mandamus issuing directions to respondents to vacate the house of the petitioners.

Learned counsel contends that application under Section 22 (2) The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 was filed seeking eviction of respondent Nos.2 and 3 from House No.61, Old Surya Nagar, Boh Ambala Cantt, District Ambala, however, the Maintenance Tribunal, Ambala has adjourned the case as *sine die*.

During the course of hearing, it is not disputed by learned counsel that the senior citizen-petitioner No.2 has already availed the remedy before the Civil Court by filing a Civil Suit bearing No.3354 dated 25.11.2010, which is pending adjudication. When confronted with the maintainability of the writ on the same cause of action, she does not press this petition and prays for withdrawal.

The prayer is accepted.

The petition is ordered to be dismissed as withdrawn.

(MANOJ BAJAJ)
JUDGE

01.06.2023

vanita

Whether speaking/reasoned :
Whether Reportable :

Yes
Yes

No
No