

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

CWP-17666-2022

Date of decision: 21.07.2023

Deepak Kumar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: None for the petitioners.

Mr. Rohit Bansal, Sr. DAG, Punjab, for respondent Nos.1 to 3.

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**VIKAS BAHL, J. (ORAL)**

1. This is a Civil Writ Petition filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the order dated 04.05.2022 (Annexure P-3) passed by respondent No.3 under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007.

2. Learned State Counsel has submitted that in view of 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**, an appeal under Section 16 of The Maintenance And Welfare Of Parents And Senior Citizens Act, 2007 is maintainable against the order dated 04.05.2022 passed by the SDM, Jalandhar-I, Jalandhar but in para 21 of the present writ petition, it has been stated that no other equally efficacious remedy is available.

3. Today, no one has put in appearance on behalf of the petitioners in order to rebut the abovesaid aspect.

4. Accordingly, the present Civil Writ Petition is dismissed for non-prosecution.

5. Liberty is, however, granted to the petitioners to move an application for restoration of the present case or to file a fresh petition, in case, any cause survives to them.

21.07.2023

Pawan

(VIKAS BAHL)  
JUDGE**Whether speaking/reasoned:-**  
**Whether reportable:-**Yes/No  
Yes/No