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

CM-18611-CWP-2023 in/and
CWP-21562-2022 (O&M)
Date of decision: 06.12.2023

Amrit Pal and others

...Petitioners

Versus

Tarsem Chand and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Ms. Supriya Garg, Advocate for the petitioners.

Mr. Sherry K. Singla, Advocate for respondent No.1.

Mr. Kunal Muthreja, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

CM-18611-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 11.03.2024 to an early date.

2. For the reasons stated in the application, the same is allowed and the date of hearing in the main case is preponed from 11.03.2024 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 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for setting aside the proceedings before the Deputy Commissioner, Mansa (Annexure P-8) dated 23.08.2022 filed by respondent No.1 under the

Maintenance and Welfare of Parents and Senior Citizens Act, 2007.

2. Learned State Counsel as well as learned counsel for respondent No.1 have raised preliminary objection to the effect that in the present case, no order has been passed and only summons (Annexure P-8) have been issued to the petitioners and the petitioners have challenged the said summons and thus, the present writ petition is premature.

3. Learned counsel for the petitioners has submitted that in view of the same, she seeks permission of this Court to withdraw the present writ petition with liberty to the petitioners to file reply to the petition filed by respondent No.1-Senior Citizen.

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 In view of the above, the present Civil Writ Petition is dismissed as withdrawn with liberty aforesaid.

5. It is made clear that this Court has not opined on the merits of the case and the same would be considered independently by the competent authority after taking into consideration the averments made by the parties and the pleas raised by both the parties.

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

06.12.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No