

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10291 of 2016

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Birendra Jha son of Late Kishore Jha Resident of Village/Mohalla-L.I.G. Flat NO. 10/350, Mohalla-Lohianagar Manuman Nagar P.O. Lohia Nagar P.S. Patrakar Nagar, Town and District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar
2. District Magistrate, Patna
3. Senior Deputy Collector, Patna
4. Sub Divisional Officer cum Chairman Tribunal Committee, Patna Sadar, Collecteriate, Patna
5. Saraswati Devi Wife of late Kishore Jha resident of L.I.G. Flat no.10/350, Mohalla- Lohianagar Hanuman Nagar, P.O. Lohianagar, Town and District-Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha, Adv.
For the Respondent/s : Mr. Ajeet Kumar, SC-28

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 03-10-2024 Though the present writ petition has been filed for quashing the order dated 20.2.2016, passed by the Sub-Divisional Officer, Patna Sadar, Patna-cum-Chairman, Maintenance Tribunal, Patna, in Prakaran Case No. 41 / 2015, under the provisions of Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (hereinafter referred to as “the Act, 2007”), however, it is pointed out by the learned counsel for the Respondent-State that the petitioner can challenge the aforesaid order dated 20.2.2016, by filing appropriate appeal under Section 16 of the Act, 2007. Reference, in this connection, be



had to a judgment dated 22.8.2023, passed by this Court in
CWJC No. 11720 of 2023 (*Pankaj Agrawal & Anr. vs. The
State of Bihar & Ors.*)

2. Having regard to the facts and circumstances of the case,
I deem it fit and proper to grant liberty to the petitioner to
challenge the aforesaid order dated 20.2.2016, passed by the
Sub-Divisional Officer, Patna Sadar, Patna-cum-Chairman,
Maintenance Tribunal, Patna, by filing appropriate appeal.

3. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

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