

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 17252 OF 2024.

Mangesh Prabhakar Mali

...Petitioner.

Versus

Shobha Prabhakar Mail and Another

...Respondents

Mr. Prasad P. Kulkarni for Petitioner.

Ms. Snehal S. Jadhav, AGP for Respondent-State.

Coram : Sharmila U. Deshmukh, J.

Date : December 4, 2024.

P. C. :

1. The appellate proceedings preferred by the Petitioner who is the son of Respondent under Section 16 of the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 have been dismissed as non-maintainable. The issue is no longer *res integra* and has been settled in the case of ***Jagdish Pitambar Pawar vs Pitambar Pundalik Pawar And Others¹*** by the Division Bench of this Court's Aurangabad Bench by holding that appeal is maintainable at the instance of children or relative of senior citizen.

2. In light of the said position, the impugned order dated 4th October, 2024 is hereby quashed and set aside. The Appeal is restored

1 Writ Petition No. 36 of 2023, dated 29.11.2023

to the file of the Appellate Authority to be considered in accordance with law. Petition stands disposed.

[Sharmila U. Deshmukh, J.]