



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16019 OF 2023

Bhalchandra Vyankatesh Shrungarpure & Anr. ... Petitioners

Versus

The State of Maharashtra, through the Collector, ... Respondent
Pune, Sr. Citizens Appellate Tribunal, Pune

Mr. Amol B. Jagtap a/w. Ms. Chandni Sachade for the petitioners.
Mr. Sachin H. Kankal, AGP for the State.

CORAM: G. S. KULKARNI &
FIRDOSH P. POONIWALLA, JJ.
DATED: 4 January, 2024

P.C.

1. This petition is filed by the petitioner praying for the following reliefs:

"A. That this Hon'ble Court be pleased to issue Writ of mandamus or any other writ in the nature of mandamus or order or direction directing the Collector, Pune, Senior Citizens Appellate Tribunal to decide the Appeal No. 31 of 2023 within a period of 15 days.

B. Pending the hearing and final disposal of the present petition, the respondent be directed to take effective steps ensuring the protection of the petitioners herein by asking the son of the petitioner, namely, Shri Suchetan Bhalchandra Shrungarpure (Respondent in Appeal No. 31/2023) and his family to stay out of the premises mentioned in the cause title of the said appeal."

2. We find that petitioner no. 1 is 91 years of age and petitioner no. 2 is 84 years of age. The proceedings under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 are before the Senior Citizens Appellate Tribunal which are subject matter of Appeal No. 31 of 2023. The grievance of

the petitioner is that considering the age of the petitioners the Tribunal ought to have decided the proceedings with utmost expediency.

3. We were quite pained in noting such grievance of the petitioners, that the senior citizens for whose benefit the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 is enacted, are required to knock the doors of this Court for such directions as prayed for. In our opinion, such proceedings should be the last to reach this Court. Considering the object and intention of the Act, we would certainly expect that the learned Presiding Officers of the Senior Citizens Appellate Tribunal nurture and wield human sensitivity to the age of the litigants, who are before them, in giving priority to matters in adjudication of the proceedings. A person at the age of 91 years cannot be expected to have a grievance that the adjudication of his proceeding is being delayed.

4. In these circumstances in the morning session, we had requested Mr. Kankal to immediately take instructions and to inform us as to the stage of the proceedings. Mr. Kankal, learned AGP for the respondent/State would state that the Appellate Tribunal has closed the hearing of Appeal on 29 December, 2023 and now the orders would be pronounced.

5. Considering the peculiar facts of the case and particularly the age of the petitioners, we request the Appellate Tribunal to pronounce the orders within one week from today.

6. All contentions of the parties on the proceedings are expressly kept open.
7. Disposed of. No costs.
8. This order be circulated by the concerned department of the State Government to all the Presiding Officers of the Senior Citizens Tribunal.

(FIRDOSH P. POONIWALLA, J.)

(G. S. KULKARNI, J.)