

2024.PHHC.171530



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

**CWP No.5681 of 2019 (O&M)
Date of Decision: 20.12.2024**

Aviral Gupta and another

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Nitin Jain, Advocate for the petitioners.

Ms. Palika Monga, DAG, Haryana for respondent Nos.1 to 3.

Mr. Pankaj Gautam, Advocate for
Mr. Akshay Jindal, Advocate for respondent No.4.

MAHABIR SINGH SINDHU, J.

CM-20609-CWP-2024

Application for withdrawal of the main writ petition, which is stated to be pending for 04.03.2025, on the premise that matter has been amicably settled between the petitioner(s) as well as private respondent No.4, at their own level, vide Settlement Deed dated 07.11.2024 (P-13).

Notice of the application to the non-applicant/respondents.

At this stage, Ms. Palika Monga, learned DAG, Haryana accepts notice on behalf of the non-applicant/respondent Nos.1 to 3 and raises no objection.

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Mr. Pankaj Gautam, Advocate for Mr. Akshay Jindal, Advocate accepts notice on behalf of respondent No.4 and acknowledges the factum of aforesaid compromise.

In view of the above and for the reasons mentioned in the application, the same is allowed subject to all just exceptions. Annexure P-13 is taken on record. Registry will tag the same at appropriate place.

On oral request of learned Counsel for the applicant/petitioner(s), main petition is preponed and taken on board today itself.

MAIN CASE

Present writ petition has been filed under Article 226 of the Constitution, *inter alia*, for quashing of the impugned *ex parte* order dated 09.01.2019 (P-7), passed by respondent No.2 under Section 23 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Further prayer is for quashing the impugned Action Plan dated 25.08.2015 (P-8).

(2) In view of the order of even date (20.12.2024), passed in CM-20609-CWP-2024, present petition is dismissed as withdrawn.

(3) However, it is clarified that settlement arrived at between the parties i.e. petitioner(s) as well as private respondent No.4 shall be binding upon them and in case there is any breach, the same shall entail legal consequences.

Pending application(s), if any, shall also stand disposed off.

20th December, 2024

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**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No