

110

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8795-2024
Date of decision: 22.04.2024

Gyani Ram

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Suresh Ahlawat, Advocate for
Mr. S.S. Nain, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of mandamus directing the respondents to implement the order dated 10.01.2024 (Annexure P-5) passed by the Maintenance Tribunal.
2. Learned counsel for the petitioner has submitted that the petitioner is 72 years old and is father of respondent Nos.5 and 6 and is a senior citizen and vide order dated 10.01.2024 (Annexure P-5), respondent Nos.5 and 6 were directed to pay an amount of Rs.3,000/- each per month as maintenance to the petitioner and also to provide a room, kitchen, bathroom and toilet to the plaintiff (petitioner herein) in the disputed house. It is further submitted that there is no stay on the said order and when

respondent Nos.5 and 6 did not implement the said order, the petitioner had filed an application dated 15.03.2024 (Annexure P-6) for execution/compliance of the order dated 10.01.2024 (Annexure P-5) before the Maintenance Tribunal/SDO but neither any concrete action has been taken on the said application nor the order dated 10.01.2024 has been implemented.

3. Learned State Counsel has submitted that in case there is no stay against the order dated 10.01.2024, then every efforts would be made by respondent No.2 to implement the said order as expeditiously as possible, preferably within a period of one month from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with directions to respondent No.2 to consider the application dated 15.03.2024 (Annexure P-6) as expeditiously as possible, preferably within a period of one month from the date of receipt of certified copy of the present order and in case the pleas raised by the petitioner are found to be meritorious and there is no stay of the order dated 10.01.2024 (Annexure P-5) then every endeavour would be made by respondent No.2 to implement the order dated 10.01.2024 (Annexure P-5) as expeditiously as possible, preferably within a period of one month from the date of receipt of certified copy of the present order.

22.04.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No