2024:PHHC:064579

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

CWP-10268-2024
Date of decision : 09.05.2024

Darshan Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Parampreet Singh Paul, Advocate
for the petitioner.

Mr.T.P.S. Walia, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari to quash the impugned notification dated 17.02.2023 (Annexure P-2) passed by respondent no.2. A further prayer has been made in the present writ petition for issuance of a writ in the nature of mandamus to direct respondent no.4 to entertain and proceed with the complaint of the petitioner under the Maintenance and Welfare Tribunal of Parents and Senior Citizen Act, 2007.

2. Learned State counsel has submitted that the instructions dated 17.02.2023 have been superseded by the instructions dated 18.12.2023 and the petition for eviction would also be maintainable before the Sub Divisional Magistrate, Rupnagar. It is submitted that the said aspect has also

Davinder Kumar
2024.05.10 09:47
I attest the accuracy and
authenticity of this order /
judgment

2024:PHHC:064579

been considered by this Court in CWP-27195-2023 decided on 18.12.2023 and respondent no.4 would consider the application, in accordance with law in case the same has been properly filed, as expeditiously as possible.

3. Keeping in view the above said facts and circumstances, the present writ petition is disposed of with a direction to office of respondent no.4 to put up the application dated 19.04.2024 (Annexure P-1) before respondent no.4, if complete in all aspects, within a period of 10 days from the date of the receipt of certified copy of the present order and respondent no.4 is directed to decide the same, in accordance with law, after hearing all the parties concerned and after following due procedure.

(VIKAS BAHL)
JUDGE

May 09, 2024
Davinder Kumar

Whether speaking / reasoned Yes/No
Whether reportable Yes/No

Davinder Kumar
2024.05.10 09:47
I attest the accuracy and
authenticity of this order /
judgment