

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

2024:PHHC:142487-DB



(205)

LPA-1487-2016 (O&M)

Decided on :29.10.2024

Khushwant Singh Sandhu and another

.....Petitioner(s)

Versus

Appellate Tribunal constituted under the Maintenance and Welfare of Parents
and Senior Citizens Act, 2007, SAS Nagar, Mohali and others

.....Respondent(s)

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MRS.JUSTICE MEENAKSHI I. MEHTA**

Present: Mr. S.S. Behl, Advocate &
Mr. HPS Sandhu, Advocate for the appellant.

Ms. Arundhati Kulshreshtha, AAG, Punjab.

Mr. M.L. Saggar, Senior Advocate with
Ms. Armaan Saggar, 3Advocate
for the applicants/deceased respondent No.3.

G.S. Sandhawalia, J.(Oral)

1. Present letters patent appeal is directed against the order of the learned Single Judge passed in CWP-5304-2014 decided on 27.04.2016. The learned Single Judge dismissed the said writ petition and upheld the order dated 21.06.2013 (Annexure P-13), wherein the transfer of Kothi No.4, Phase-7, SAS Nagar, Mohali was cancelled and the property reverted back to Sucha Singh Sandhu. The learned Single Judge, thus, in principle has upheld the order of the Sub-Divisional Magistrate.

2. During the hearing of the present appeal, respondent No.3-Sucha Singh Sandhu has unfortunately expired on 02.09.2020 and the necessary application bearing CM-179-LPA-2021 for impleading his legal heirs has been filed. The amended memo of parties would go on to show that in the place of deceased Sucha Singh Sandhu, Dr. Navparkash Singh Sandhu, his son; Satnam

Kaur Sandhu wife of his late son Tejinder Singh Sandhu and Dev Ashish Singh Sandhu, grandson of deceased Sucha Singh Sandhu were sought to be brought on record. The application has been filed under Order 22 Rule 4 read with Rule 11 CPC, on account of the earlier Will dated 27.06.2014.

3. Keeping in view the above, we are of the considered opinion that if the parties have any grouse *inter se* regarding the inheritance of the property in question, it is open to them to seek their redressal before the Civil Court, if not availed already. The dispute was limited as such at that point of time during the lifetime of Sucha Singh Sandhu regarding his right in the property on the basis of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short '2007 Act').

4. The parties shall maintain status-quo as it exists today. It will be open to them to file appropriate application before the concerned Court for modification of this arrangement. Needless to say that any order passed by the statutory authorities were, thus, only for limited purpose for protecting the rights of the deceased Sucha Singh Sandhu under the 2007 Act at that point of time.

5. The present appeal is, accordingly, disposed of. All pending civil miscellaneous application(s), if any, also stand disposed of. No separate order requires to be passed on the L.R. application.

(G.S. SANDHAWALIA)
JUDGE

(MEENAKSHI I. MEHTA)
JUDGE

29.10.2024
Naveen

Whether speaking/reasoned : Yes
Whether Reportable : No