

2024.PHHC.132465



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

**CWP-25582-2024 (O&M)
Date of decision :03.10.2024**

Loveneet Nagra (Minor)

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.K. Kanojia, Advocate for the petitioner.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Articles 226/227 of the Constitution, *inter alia*, for directing respondent No.3 to dispose off the case titled “*Som Nath @ Sham Nath Vs. Lovepreet Nagra son of Parminder Kumar*”, (case No.04/Sen. Citizen/2024) filed under Section 27 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, ‘the Act’).

2. Brief facts of the case are that Som Nath @ Sham Nath (senior citizen) maternal grandfather of the petitioner, filed a petition under Section 27 of the Act, for setting aside the Transfer Deed dated 18.05.2018, registered in favour of the petitioner, with respect to property measuring 10 Marlas, comprising of one shop and a room, situated in the *abadi* of Nakodar, District Jalandhar.

3. Contends that the Senior Citizen has since died on 04.03.2024, but despite that, learned Tribunal is continuing with the

proceedings; therefore, he submits that learned Tribunal be directed to close the same.

4. Heard learned counsel for the petitioner and perused the paper-book.

5. Concededly, the Senior Citizen, who filed the application under Section 27 of the Act before learned Tribunal is no more. Therefore, instead of invoking the jurisdiction of this Court under Articles 226/227 of the Constitution, it would be appropriate for the petitioner to raise his plea before learned Tribunal in this regard and the same would be considered in accordance with law.

6. With the above observations, present petition is disposed off.

7. Above observations may not be construed as an expression of opinion on merits of the case pending before learned Tribunal.

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

03.10.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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