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

**CWP-29708-2024 (O&M)
Date of decision : 07.11.2024**

Harshita Jain

...Petitioner(s)

Versus

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Shikha Yadav, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Article 226 of the Constitution, *inter alia*, for quashing of impugned order dated 22.07.2024 (P-2), passed by learned Maintenance Tribunal-cum-Sub Divisional Magistrate, Rohtak, whereby, application filed under Section 23(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (*for short, 'the Act'*) was allowed and transfer deed dated 30.12.2022 (P-1) was cancelled.

2. On 05.11.2024, this Court passed the following order:-

"Since no one is appearing on behalf of the petitioner, purely in the interest of justice posted for 07.11.2024.

Mr. Kiran Pal Singh, learned AAG, Haryana will verify as to whether the impugned order dated 22.07.2024 (P-2) is appealable?

It is clarified that there is no formal notice of motion in this case."

2024.PHHC.145449



3. Today, learned State counsel has apprised the Court that the order impugned dated 22.07.2024 is appealable under Section 16 of the Act.

4. In view of the above, this Court is not inclined to entertain present petition; rather deems it appropriate to relegate the petitioner to pursue her remedy, as per law.

5. Needless to say that this order be not construed as an expression of opinion on merits of the case, in any manner.

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

06.11.2024

atulsethi/harish kumar

**(MAHABIR SINGH SINDHU)
JUDGE**

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