

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 29 OF 2023
WITH
WRIT PETITION NO. 10870 OF 2022

Shantabai Devrao Bawaskar

VERSUS

Vandana Daulat Bawaskar And Another

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Advocate for the Petitioner : Mr. Solanke Krushna S.

AGP for Respondent/State : Mr. R.B. Dhaware

Advocate for Respondent No.2 : Mr. S.S. Shinde

Advocate for Petitioner in WP/10870/2022 : Mr. P.M. Gaikwad

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 01, 2025

PER COURT :

1. Heard the respective counsels.
2. Learned counsel for the petitioner in both the petitions contended that an appeal was filed against the order passed by the learned Sub-Divisional Magistrate, Aurangabad dated 13.07.2022 under Section 7 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, and the Additional Collector issued a letter dated 26.09.2022 and that letter, it was intimated to the petitioner in Writ Petition No.10870 of 2022 that the appeal was not maintainable.
3. Learned AGP makes a statement, on instructions, that the appeal is maintainable and it is to be registered.
4. In view of that, the letter issued by the Additional Collector, Aurangabad dated 26.09.2022 is hereby quashed and set

aside. The Additional Collector to register the appeal and proceed further to decide the same in accordance with law.

5. It is made clear that if the appeal filed by the petitioner is not traceable, then the petitioner is directed to file fresh appeal. The authority shall not raise the point of delay while entertaining the appeal.

6. The interim order granted by this Court to continue till the Appellate Court decides the matter on its own merit.

7. Both writ petitions stand disposed of.

(SIDDHESHWAR S. THOMBRE, J.)