

Mr. S.S Redekar, for the petitioner.
Mr. Mohan Pillai, for the respondent no. 1.
Mr. S.D. Rayrikar, AGP, for the State/Respondent no. 2.

CORAM : N.J. JAMADAR, J.
DATE : 11th AUGUST 2025

1. Heard the learned counsel for the parties.
2. The challenge in this petition is to an order dated 4th March 2025 passed by the Senior Citizens Tribunal, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 thereby directing the petitioner to vacate the subject premises
3. In view of the decision of this Court in the case of '*Jagdish Pitamber Pawar vs. Pitamber Pundalik Pawar and Ors*'¹, the petitioner who is the son of the respondent no. 1, a senior citizen, has a remedy

1 W.P. 36 of 2023 of Bombay H.C. at A'bad bench.

of appeal before the Appellate Authority under Section 16 of the Act, 2007.

4. The learned counsel for the petitioner submits that the petitioner will explore the appellate remedy.

5. The learned counsel for the respondent no. 1 opposes the submissions on behalf of the petitioner and it was urged that the respondent no. 2, who is the owner of the subject premises, has been kept away from the subject premises.

6. Since the petitioner has the statutory remedy, it will be expedient to provide an opportunity to the petitioner to approach the Appellate Authority.

7. The petition, thus, stands disposed as withdrawn with liberty to the petitioner to file an appeal before the Appellate Authority under Section 16 of the Act, 2007.

8. In the event such an appeal is filed within a period of one week, the Appellate Authority is requested to hear and decide the appeal as expeditiously as possible, and, preferably, within a period of six weeks from the filing of the appeal.

9. The petitioner is at liberty to file an application for ad-interim / interim relief before the Appellate Authority
10. In the event such an application is filed along with the appeal memo, within one week, as indicated above, the said application for ad-interim relief/ interim relief be also decided within a period of three weeks from the date of the filing of the application.
11. Ad interim relief, granted by this Court, shall continue to operate for a period of four weeks.

(N.J. JAMADAR, J)