



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.13141 OF 2025**

Aminuddin Khan and Anr.	...	Petitioners
versus		
The State of Maharashtra and Ors.	...	Respondents

Ms. B.R.Mangale, for Petitioner.
Mr. A.C.Bhadang, AGP for State.
Mr. Suresh More, for Respondent No.4.

CORAM: N.J.JAMADAR, J.

DATE : 18 NOVEMBER 2025

P.C.

1. Heard the learned Counsel for the parties.
2. The challenge in this Petition is to an order dated 1 August 2025, passed by the Appellate Authority under Section 16 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 , whereby while modifying the order passed by the Maintenance Tribunal, the Appellate Authority has directed the Petitioners i.e. son and daughter in law of the senior citizen, to handover clear and vacant possession of the premises i.e. Room No.815, 8th Floor, A Wing, Akash Building, V.K.Road, Dharavi, Mumbai – 400 017 (the subject premises).
3. When the Petition was listed before the Court, a submission was made on behalf of the Respondent – senior citizen that, the order passed by the Appellate Authority has already been executed. As the said fact was disputed

by the learned Counsel for the Petitioner, learned AGP was requested to take instructions.

4. Today, Mr. Bhadang, learned AGP informed the Court that, the order has been executed and the possession of the subject premises has been handed over to the senior citizen on 14 November 2025.

5. Learned Counsel for the Petitioners submitted that, the Petitioners were duly complying with the order of the Maintenance Tribunal to pay the maintenance @ Rs.5,000/- p.m., to the senior citizen and there was no reason to direct the Petitioners to vacate the subject premises.

6. Indisputably, senior citizen is the owner of the subject premises. In the circumstances of the case, the Appellate Authority was justified in passing the direction to handover clear and vacant possession of the subject premises to the Senior Citizen. Moreover, as the said order has already been executed, in exercise of the supervisory jurisdiction, this Court does not find any reason to interfere with the impugned order.

7. The Writ Petition stands dismissed.

(N.J.JAMADAR, J.)