

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

CWP-2768-2021 (O&M)

Date of decision: 10.12.2025

Geeta Devi alias Geeta Devi Chorsia

....Petitioner

Versus

Additional District Magistrate-cum-District Magistrate, Amritsar and
others

....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ramandeep Singh, Advocate,
for the petitioner.

Ms. Pratibha Bali, AAG, Punjab.

Mr. Anupam Bhardwaj, Advocate,
for respondent No.3.

KULDEEP TIWARI, J. (Oral)

1. The petitioner, who is a senior citizen, has approached this Court by way instant writ petition, against the order dated 16.12.2019 (Annexure P-6), passed by the learned Additional District Magistrate, Amritsar.

2. In nutshell, the senior citizen had filed an application under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short 'the Act of 2007'), seeking cancellation of the gift deed dated 22.02.2011 (Annexure P-7), which was executed in favour of respondent No.3 (daughter). Accordingly, the learned Maintenance Tribunal partially allowed the application (supra), thereby directing respondent No.3 to pay Rs.10,000/- to the senior citizen as maintenance, but did not grant the relief as regards cancellation of the gift deed in question. Aggrieved, the petitioner filed an appeal, which, as referred to above, was dismissed by the learned Additional District Magistrate, Amritsar.

3. At the outset, learned counsel for the petitioner, while placing reliance upon an order dated 26.09.2025, rendered by this Court in

CWP-27866-2025 (Davinder Singh Vs. Additional District Magistrate and others), submits that, in fact, the impugned order has been passed by an authority devoid of statutory jurisdiction. He specifically refers to the observations recorded in para No. 4 of the order (supra), which is extracted hereinbelow:-

4. *In view of the Punjab Government Notification bearing No. 8/10/2008-8SS/542 dated 15.07.2008, and in exercise of powers conferred under Sections 7(1)&(2) and 15(1)&(2) of the Act of 2007 (hereinafter referred to as ‘Act of 2007’), the Governor of Punjab constituted the Maintenance Tribunals/Appellate Tribunals, and their jurisdictions for the implementation of the Act of 2007, are as under:-*

Sr. No.	Name of the Tribunal	Jurisdiction	Presiding Officer of the Tribunal
1.	Maintenance Tribunal	Sub Division of the District concerned	Sub Divisional Magistrate of the area concerned
2.	Appellate Tribunal	District concerned	District Magistrate of the area concerned

4. Upon being pointedly asked, as to whether, under the statutory provisions, the District Magistrates/Presiding Officers of the Appellate Tribunals are competent to sub-delegate the quasi-judicial functions and powers vested in them by statute, learned State counsel fairly concedes that such functions and powers cannot be sub-delegated.

5. In view of the abovesaid admitted position, the impugned order 16.12.2019 (Annexure P-6), **is set aside** and the **matter is remitted** to the District Magistrate-cum-Appellate Tribunal Amritsar, for adjudication afresh, in accordance with Section 16 of the Act of 2007. Both the parties are directed to cause appearance before the District Magistrate-cum-Appellate Tribunal concerned, on 23.12.2025 at 11:00 AM, whereupon, the latter shall make an endeavour to decide the matter preferably within two months, after affording adequate opportunity of hearing to the parties.

6. To ensure speedy disposal of the matter, the learned Additional District Magistrate, Amritsar, is directed to transmit the

original record of the matter to the learned District Magistrate-cum-Appellate Tribunal concerned, in terms of the Act of 2007, upon receipt of a certified copy of this order, forthwith.

7. **Disposed of, accordingly.**

(KULDEEP TIWARI)
JUDGE

10.12.2025
Ak Sharma

Whether speaking/reasoned	Yes
Whether reportable	Yes/No