



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(203)

CWP No. 4504 of 2023 (O&M)
Date of Decision : 07.03.2025

Mehnga Singh

...Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasmeet Singh Bhatia, Advocate for the petitioner.
Mr. T.P.S. Chawla, Senior Deputy Advocate General, Punjab.
Mr. Amrit S. Kang, Legal Aid Counsel
for respondents No. 4 and 5.
Mr. Saurabh Singla, Advocate for respondent No. 6.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioner-Senior Citizen is that petition filed by the petitioner for eviction of the respondents No. 4 to 6 from the premises being owned by the petitioner-Senior Citizen has not been accepted on the ground that the same is not permissible under The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as '2007 Act'), whereas, as per the judgment of the Hon'ble Supreme Court of India in Civil Appeal No. 10927 of 2024 titled as **Urmila Dixit Vs. Sunil Sharan Dixit and others**, decided on 02.01.2025, it has already been held that eviction will also be inherent under 2007 Act and, therefore, the impugned order dated 27.01.2021



(Annexure P-8) is liable to be set-aside with the directions to the respondent-District Magistrate to pass an order on the application of the petitioner-Senior Citizen in accordance with law on the basis of the material facts, which will be brought on record.

2. Learned counsel for the respondents raise no objection.
3. Keeping in view the settled principle of law settled in ***Urmila Dixit's case (supra)*** and keeping in view the above mentioned facts, the impugned order dated 27.01.2021 (Annexure P-8) is set-aside. The case is remanded back to the District Magistrate to pass an appropriate order on the application filed by the senior citizen in accordance with law by giving due opportunity of hearing to the parties concerned.
4. The parties are directed to appear before the District Magistrate on 03.04.2025. Let the appropriate order be passed within a period of four months from first date of hearing before the Tribunal.

March 07, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No