



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(103)

CWP No. 11298 of 2025

Date of Decision : 30.04.2025

Mool Chand

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Nipun Vashist, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the prayer of the petitioner is that the petitioner-senior citizen had invoked the jurisdiction of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as '2007 Act') so as to claim relief against the private respondents with regard to the eviction from the property owned by the petitioner-senior citizen.

2. Learned counsel for the petitioner-senior citizen submits that the application for eviction filed by the petitioner before the Tribunal has been adjourned sine die vide order dated 28.01.2025 (Annexure P-2) on the ground that the LPA is pending on the same question of law as to whether the eviction is inherent under 2007 Act or not.

3. Learned counsel for the petitioner submits that keeping in view 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, the eviction is also inherent under 2007 Act and,



therefore, the authorities be directed to decide the said claim of the petitioner-senior citizen which has been adjourned sine die.

3. Keeping in view the fact that the petitioner-senior citizen is only praying that the prayer for eviction as raised under 2007 Act be decided by the authorities keeping in view the settled principle of law, the present petition is disposed of with the direction to the authorities i.e. respondent No. 2 to take up the petition filed by the petitioner and decide the same in accordance with law by giving due notice to the respondents and adhering to the procedure as envisaged under 2007 Act as expeditiously as possible by following due procedure envisaged.

4. Present petition is disposed of accordingly.

April 30, 2025
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No