

**CWP-12772-2025****1****IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH****(104)****CWP-12772-2025****Date of Decision : May 06, 2025****Sucha Singh****.. Petitioner****Versus****Additional Deputy Commissioner-cum- Appellate Tribunal, Patiala  
and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI****Present: Mr. Jagmeet Singh Moudgil, Advocate, for the petitioner.****HARSIMRAN SINGH SETHI J. (ORAL)**

1. Present writ petition has been filed challenging the order dated 27.11.2024 (Annexure P-5) and order dated 22.12.2022 (Annexure P-3) passed by the authorities exercising jurisdiction under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred as '2007 Act'). The plea of the petitioner-senior citizen that he is entitled for cancellation of the transfer deed which deed made in favour of respondent-daughter under Section 23 of the 2007 Act, has not been accepted by the Tribunal as well as by the Appellate Authority exercising jurisdiction under 2007 Act.

2. Learned counsel for the petitioner argues that the petitioner-senior citizen is not being maintained by the respondents and therefore, the property in question which was given to the respondents should have been reverted back to the petitioner-senior citizen.

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3. I have heard learned counsel for the petitioner and have gone through the record with his able assistance.

4. The finding has been recorded by the authorities concerned exercising jurisdiction under 2007 Act that a family settlement was reached upon between the parties and according to the said family settlement, two daughters of the petitioner-senior citizen were to get equal share. The share which was in the name of the mother was transferred in the name of sister Harpinder Kaur whereas, the share which was in the name of the petitioner-senior citizen, was transferred in the name of respondent No.3-Baljit Kaur.

5. Further, it has come on record that all the revenue being generated from the share of land which was transferred in the name of the respondents is still being taken by the petitioner-senior citizen.

6. Once, the revenue of the land in question is still being used by the petitioner-senior citizen, which fact has not been disputed, no ground is made out for any interference with the impugned order dated 27.11.2024 (Annexure P-5) as from the said revenue, the petitioner-senior citizen is very well maintaining himself and therefore, the ingredients required for fulfillment of Section 23 of the 2007 Act in order to get the property back, are not fulfilled in the facts and circumstances of the present case.

7. Accordingly, the writ petition is dismissed in limine.

**May 06, 2025**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

Whether speaking/reasoned : Yes  
Whether reportable : No