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

CWP-18429-2018 (O&M)

Date of Decision : 07-04-2025

HARDEEP KAUR**.....Petitioner****VERSUS****STATE OF PUNJAB AND ORS****.....Respondent(s)**

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sushil Saini, Advocate
for the petitioner.

Mr. Malkit Singh Dhillon, DAG Punjab.

Mr. Gautam Pathania, Advocate
for respondent Nos.4 to 5.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the orders dated 26.04.2016 (Annexure P-4) and dated 20.03.2018 (Annexure P-5) passed by the authorities under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 by which, the land measuring 4 acres which was in the ownership the petitioner-Senior Citizen was transferred in favour of the respondent Nos.4 and 5, have not been reverted back to her and only a sum of Rs.10,000/- financial assistance has been granted to the petitioner-Senior Citizen.

2. The prayer of the petitioner-Senior Citizen in the present petition is that the transfer deed dated 29.01.2009 should be set aside and the

property should be transferred back to her as respondent Nos.4 and 5 are not maintaining her.

3. During the hearing, the learned counsel for respondent Nos.4 and 5 has given an option to the petitioner-Senior Citizen that in case, the ownership remains with the respondent Nos.4 and 5, which was transferred by the petitioner-Senior Citizen, the revenue being generated from the said land, as the same has been given on contract to 3rd party, the said revenue will be deposited in the account of the petitioner-Senior Citizen and she will entitle to hold the said revenue till she is alive.

4. Further option given to the petitioner-Senior Citizen is that a sum of Rs.10,000/- awarded as maintenance by the Tribunal will also to be deposited by the 7th of every month in the account of the petitioner-Senior Citizen as she is living in the house though built by respondent Nos.4 and 5, she will not be ousted from the said house till she is alive.

5. Learned counsel for the petitioner on instructions from the petitioner-Senior Citizen, who was present in Court submits that the said option is acceptable to the petitioner-Senior Citizen.

6. Keeping in view that the parties have already decided their issue amicably, the present petition is disposed of with a direction that the petitioner-Senior Citizen will be entitled for a sum of Rs.10,000/- as a financial assistance, which will be deposited by the 7th of every month, without any fail by the respondent Nos.4 and 5.

7. Apart from this, the total revenue generated from the land which was transferred in favour of the respondent Nos.4 and 5, as the said land has been given on lease to the 3rd party, the total revenue generated out of the said land will also to be given to the petitioner-Senior Citizen directly

by the lease-holders and to be deposited in the account of the petitioner-Senior Citizen till she is alive.

8. The outstanding amount of the financial assistance, which is approximately Rs.2,50,000/- will also to be paid to the petitioner-Senior Citizen within a period of *4 weeks* from today and the same will be deposited in the account of the petitioner-Senior Citizen.

9. Pending application, if any, also stands disposed of.

07-04-2025
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO