

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

102

CWP-21436-2025 (O&M)

Date of Decision : November 18, 2025

SATPAL JAIN AND ANOTHER

-PETITIONERS

V/S

STATE OF HARYANA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Nitin Jain, Advocate (Through V.C.), with
Mr. Parv Ahluwalia, Advocate
for the petitioner.

Mr. Bhupender Singh, Addl. A.G., Haryana.

Mr. Tanuj Goyal, Advocate, with
Mr. Munish Kumar Garg, Advocate
for the respondent No.5.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, a prayer has been made for quashing the proceedings initiated vide letter/order dated 08.07.2025, which became drawn on an application dated 30.06.2025 filed by respondent No.5 (son of petitioner No.1).

2. The principal contention advanced by learned counsel for the petitioners is that the application (*supra*) does not attract the applicability of any provision under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as "the Act of 2007"). It is submitted that the application constitutes a gross misuse of the statutory mandate contained in the Act of 2007.

3. On the previous date of hearing, i.e. 16.10.2025, this Court

granted an opportunity to the parties to resolve their dispute amicably and passed the following order:-

“It is a very strange case where the sons are fighting with each other, to establish their right to take care of their father.

During the pendency of the instant writ petition and at the time of the arguments, it reflects that the matter can be amicably settled between the parties concerned, through amicable means.

The respondents are at liberty to visit the place of the petitioner, on 22.10.2025, to explore the possibilities of an amicable settlement.

With this endeavour, the matter is adjourned to 18.11.2025, for arguments.

To be shown in the urgent list.

No further request for an adjournment on behalf of the either of the parties concerned, shall be entertained.”

4. Today, learned counsel for the parties have informed this Court that the matter could not be settled amicably. Accordingly, the matter has been heard on merits.

5. When queried by this Court as to how the contents of the application (*supra*) fall within the scope of any provision of the Act of 2007, learned counsel for the respondent No.5 candidly concedes that they do not. Accordingly, he submits that he wants to withdraw the original application (*supra*) by filing an appropriate motion before the Sub-Divisional Magistrate concerned, while reserving his right to seek recourse to appropriate statutory remedy(ies) for redressal of his grievance(s), if any.

6. In view of the above, no further directions are required. The respondent No.5 shall withdraw the original application (*supra*) by filing an appropriate motion before the Sub-Divisional Magistrate concerned

within seven days from today. It is clarified that such withdrawal shall not prejudice the right of the respondent No.5 to avail other permissible statutory remedy(ies) for redressal of his grievance, in accordance with law.

- 7. The instant writ petition stands **disposed of** accordingly.
- 8. Pending application(s) also stand disposed of accordingly.

November 18, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No