



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(221)

CWP No. 22707 of 2024

Date of Decision : 20.02.2025

Kamla Devi

...Petitioner

Versus

Presiding Officer Maintenance Tribunal-cum-Sub Divisional
Magistrate, Badkal, Faridabad and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Ms. Perna Malhotra, Legal Aid Counsel for the petitioner.

Mr. Saurabh Girdhar, Assistant Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance of the petitioner-senior citizen is that she has invoked the jurisdiction of the Competent Authority under The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as '2007 Act') vide application dated 25.05.2023 (Annexure P-1), which application is not being decided, which is causing prejudice to the petitioner-senior citizen.

2. Learned State counsel submits that the aforementioned application filed by the petitioner-senior citizen has already been decided on 20.12.2023 much before filing of the present petition.

3. Learned counsel for the petitioner-senior citizen submits that a bare perusal of the order dated 20.12.2023 would show that the application filed by the petitioner-senior citizen is not being considered by the



authorities concerned on the ground that there is no power with the authorities to get the property vacated of the petitioner-senior citizen, which is contrary to the settled principle of law, which has been reiterated now by 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.

4. Learned counsel for the respondents has not been able to dispute the same.

5. Keeping in view the above, the Tribunal is directed to adjudicate the application dated 25.05.2023 (Annexure P-1) of the petitioner-senior citizen in accordance with law by following due process as envisaged by giving due opportunity of hearing to all. It will be appreciated in case, the proceedings are concluded within a period of six months from the date of receipt of copy of this order.

6. Petition is disposed of in above terms.

February 20, 2025
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No