



CWP-26256-2022 :1:

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

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**CWP-26256-2022 (O&M)
Date of decision : 18.02.2025**

POOJA RANI

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. H. K. Brinda, Advocate
for the petitioner.

Mr. T. P. S. Chawla, Senior DAG, Punjab.

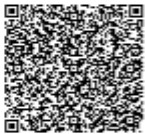
Mr. Vivek K. Thakur, Advocate
for respondent No.3.

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the challenge is to the order dated 20.09.2022 (Annexure P-4) by which the petitioner has been directed to vacate the premises keeping in view the application filed by the senior citizen under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as '2007 Act')

2. Learned counsel for the petitioner argues that the petitioner has no other place to live other than premises she has been ordered to vacate and though the present accommodation belongs to senior citizen but, the same is got vacated under 2007 Act and that too on wrong assumption as the senior citizen is already living in an another property hence, the question of any threat to the life and liberty of the senior citizen at the hands of the petitioner which was raised as well in proceeding carried by Tribunal does not arise.

3. Learned counsel for the petitioner further submits that the husband



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of the petitioner is living abroad and in case, the maintenance is to be sought, the same is to be sought from the husband and the petitioner cannot be directed to be evicted from the house in question.

4. Learned counsel for the respondents submits that in the meantime, it has come to the knowledge of the senior citizen that another property has been purchased by the petitioner and her husband and keeping in mind this the senior citizen undertakes not to get the impugned order implemented but liberty be given to them to approach the Tribunal again under 2007 Act that as the petitioner and her husband have already got their own accommodation hence, the senior citizen be allowed to retain the accommodation which belongs to him under 2007 Act.

5. Learned counsel submits that as the impugned order will not be given effect to by the senior citizen keeping in view the undertaking given by the learned counsel for the senior citizen, the present petition has been rendered infructuous and the same may kindly be disposed of.

6. Ordered accordingly.

7. It is made clear that in case the senior citizen approaches the Tribunal with a fresh plea of eviction of the petitioner on the ground that they have already got alternative accommodation, the same be adjudicated on merits.

8. Pending applications, if any, also stand disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

18.02.2025

Rimpal

Whether speaking/reasoned	Yes
Whether Reportable :	No