



CWP-29299-2022 (O&M)

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

(101)

CWP-29299-2022 (O&M)

Date of Decision : 04.11.2025

Joginder Singh and another

...Petitioners

Versus

District Magistrate cum Chairman,
Appellate Tribunal, Karnal and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARIPresent: Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Bhupender Singh, Addl. AG, Haryana.

Mr. J.S. Saneta, Advocate
for respondent No.2.

KULDEEP TIWARI, J.(ORAL)

1. The petitioners are son and daughter-in-law of respondent No.2, has filed the instant writ petition, under Article 226/227 of the Constitution of India, fetching grievance from an order dated 17.11.2022 (Annexure P-3), passed by the respondent No.1, on an application preferred under Section 22 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter to be referred as the 'Act of 2007'), wherethrough, the petitioners were ordered to be evicted from the house, in question.

2. At the very outset, learned counsel for the petitioner submit that the application (supra), is not maintainable before the District Magistrate cum Chairman, Appellate Tribunal, Karnal, who otherwise under the Act of 2007 is an Appellate Authority. The application, if any, ought to have been filed

before the learned Maintenance Tribunal concerned, who is otherwise,



according to the rules issued by the Govt. of Haryana, is empowered to issue directions for eviction. Though, he argued the issue on merits as well. However, during the pendency of the instant writ petition, the matter has now been amicably settled between the parties concerned.

3. He further submits that the petitioner is now willing to pay the amount of Rs.8,93,000/-, to respondent No.2, within a period of three months, from the date of passing of this order, in return seeks transferring of half share of residential house No.3096, Gali No.9, near Nava Khera Sewerage, Shiv Colony, Karnal, measuring 160 sq. yards, and the said amount would be as full and final settlement with regard to past, present and future expenses, occurred towards the house, and maintenance towards the respondent No.2. He also submits that on the date of payment of entire amount, the respondent No.2, would be under obligation to transfer the half share of the house in question. In addition, he submits that the petitioner is ready and willing to pay Rs.3,000/-, as maintenance, to respondent No.2/senior citizen. Apart from that, he also undertakes to pay the house loan installment, which are total 16 in number, in which, his share comes to Rs.1,60,000/-, on or before the due date of every month. Finally, he undertakes that the petitioner will deposit Rs.3,000/- per month, on or before 10th of each and every month, in the bank account of his father, respondent No.2, as maintenance, till his lifetime.

4. The affidavit dated 04.11.2025, of the petitioner has been filed today in the Court. The same is taken on record.

5. On the other hand, learned counsel for the respondent No.2, submits that he is ready and willing to accept the offer made by the learned counsel for the petitioner, on instructions from the petitioner, who is present



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in the Court, to settle the dispute for once and all. However, the petitioner No.1, be restrained from alienating the half share of the house transfer by respondent No.2, in the name of the petitioner No.1, till lifetime of senior citizen.

6. Learned counsel for the petitioner extends no objection to the above said additional condition.

7. In view of the above settlement arises between the parties concerned, the instant writ petition is **disposed of**, and the impugned order dated 17.11.2022 (Annexure P-3), is hereby **set aside**. The petitioners, and respondent No.2, would abide by the terms and conditions of settlement, as recorded above. In case of any violation of terms and conditions of settlement thereof, the parties would be at liberty to get the instant writ petition revived.

8. Pending applications, if any, stands disposed of accordingly.

(KULDEEP TIWARI)
JUDGE

November 04, 2025
Manpreet

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No