



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

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**CWP-30331-2022 (O&M)
Decided on :07.04.2025**

CHARANJIT KAUR

. .Petitioner

Versus

COLLECTOR CUM A. D. C. JAGRAON LUDHIANA AND OTHERS

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Lovepreet Singh, Advocate for
Mr. Abhishek Khullar, Advocate for the petitioner.

Ms. Akshita Chauhan, DAG, Punjab.

Respondent No. 2 in person.

None for respondent No. 3.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the challenge is to the order dated 22.09.2022 (Annexure P-1) passed by respondent No. 1-Collector-cum-A.D.C., Jagraon, District Ludhiana, under the Maintenance & Welfare of Parents & Senior Citizen Act, 2007 (herein after referred to 2007 Act). The prayer of the petitioner-senior citizen is that respondent No. 3 i.e. daughter-in-law of the petitioner is not taking care of the petitioner and respondent No.3 is living in the house of the petitioner-senior citizen and as the house belongs to the petitioner-senior citizen, respondent No. 3 should be asked to vacate the said house.

2. No one has appeared on behalf of respondents No. 3. Respondent No. 2- Raminder Pal Singh, husband of respondent NO. 2 is present in the Court to address the arguments. Respondent No. 2 submits that he is living in one room situated on the first floor of the house of the petitioner-senior citizen and his mother i.e. the petitioner is also living in the



another room on the same floor. Respondent No. 2 further submits that he is not creating any trouble for the petitioner-senior citizen. He further submits that the allegations levelled by the petitioner-senior citizen are primarily against respondent No. 3 i.e. daughter-in-law of the petitioner.

3 I have heard learned counsel for the parties and have gone through the case file with their able assistance.

4. From the pleadings it is transpires that there is a matrimonial dispute between respondent No. 2 & respondent No. 3. Respondent No. 2 has also filed a divorce petition against respondent No. 3 but the said divorce petition was dismissed. As of now, respondent No. 3 is living on the ground floor and the petitioner and her son i.e. respondent No. 2 are living on the first floor in separate room. The authorities while passing the impugned order dated 22.09.2022 (Annexure P-1) held that the wife of respondent No. 2 i.e. respondent No. 3 being the daughter-in-law of the petitioner-senior citizen has full right to remain in the matrimonial house.

5. Keeping in view the facts that respondent No. 2 is living with his mother i.e. petitioner on the first floor, and the assertion are only against respondent No. 3 daughter-in-law to throw her out, it seems that due to the matrimonial dispute between respondent No. 2 & respondent No. 3, the 2007 Act has been brought in to operation to claim that petitioner-senior citizen is being harassed so as to get the premises vacate from the daughter-in-law.

6. From the pleadings nothing evident has come on record that petitioner-senior citizen is being harassed in any manner by respondent No. 3. That being so, once, the petitioner-senior citizen as well as respondent No. 3 are living in the separate portion of the same house, and no material evidence of mal treatment of the petitioner-senior citizen at the hands of the respondent No. 3 has been brought on record, the order dated 22.09.2022



(Annexure P-1) passed by authorities concerned not to accept the plea of the petitioner-senior citizen to oust respondent No. 3 from the premises of petitioner-senior citizen, needs no interference by this Court. Further, respondent No.3 is requested to take care of the petitioner-senior citizen as far as possible.

7. Keeping in view the totality of the facts and circumstances of the present case, no ground is made out for any interference by this Court. the present petition is dismissed.

8. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

07.04.2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No