

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4472 OF 2026

Jitesh Dudhale

...Petitioner

Versus

Appellate Senior Citizen Tribunal And Ors

...Respondents

Mr. Aditya Lele, a/w Atul Mishra, for the Petitioner.
Smt. Neha Bhide, GP, a/w Vaishali Nimbalkar, AGP for the
State.

CORAM: N. J. JAMADAR, J.

DATED: 10th APRIL, 2026

Oral Order:-

1. Heard the learned Counsel for the petitioner.
2. The challenge in this petition is to an order dated 11th March, 2026 passed by the Maintenance Tribunal under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007.
3. The learned Counsel for the petitioner submits that the petitioner assailed the said order by filing an appeal before the Appellate Tribunal, on 29th March, 2026. However, the Appellate Tribunal refused to register the appeal.

4. In view of the decision of this Court in the case of *Jagdish Pitambar Pawar Vs Pitambar Pundalik Pawar and Ors*,¹ the appeal at the instance of the children and the relatives of a senior citizen is maintainable before the Appellate Tribunal under Section 16 of the Act, 2007.

5. Since the Appellate Tribunal has declined to register the appeal, the petitioner was constrained to prefer this petition.

6. The petition, thus, stands disposed with a direction to the Appellate Tribunal to hear and decide the appeal which may be preferred by the petitioner.

7. If such appeal is filed within a period of two weeks alongwith an application for stay to the order of the Maintenance Tribunal, the Appellate Tribunal is directed to hear such application, expeditiously.

8. To facilitate the petitioner to approach the Appellate Tribunal and file the appeal, the time to comply with the order dated 11th March, 2026 stands extended by two weeks.

[N. J. JAMADAR, J.]

1 Writ Petition No.36 of 2023, dated 29/11/2023.