



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 5534 OF 2024

Prakash Vitthalrao Wanjari

Vs.

Smt. Tarabai Vitthalrao Wanjari and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M. K. Mishra, Advocate for petitioner.
Shri B. T. Sugandh, Advocate for respondent no. 1.
Shri C. A. Lokhande, AGP for respondent nos. 2 and 3/State.

CORAM :- M. W. CHANDWANI, J.

DATED :- 17.02.2026

Heard the learned counsel for the respective parties and perused the record.

2. The petition challenges order dated 12.09.2023 passed by respondent no. 2- Authorized Officer, Parents and Senior Citizen Welfare Tribunal, Nagpur granting maintenance @ Rs.10,000/- per month to respondent no. 1- the mother of the petitioner under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, "the said Act") and confirmed by respondent no. 3- the Appellate Authority under the said Act by order dated 13.02.2024.

3. The relationship between the petitioner and respondent no.1 is not disputed by the parties. The fact is that the property after the death of the father of the petitioner belonged to respondent no. 1 and the sister of

the petitioner and the petitioner got it transferred to his name after obtaining relinquishment deed from respondent no. 1 and his sister. The record further shows that the petitioner went to reside in Seminary Hills area of Nagpur since 2006 along with his family leaving respondent no. 1 in the said house. Respondent no. 1 has no means of earning except an amount of Rs.5000/- which she is getting towards the rent of one room situated in the said house.

4. Considering all these aspects and the age of respondent no. 1, the Authorized Officer has opined that respondent no. 1 requires medicine/hospital expenses to the tune of Rs.10,000/- and accordingly the impugned order came to be passed. An unsuccessful attempt was made before the Collector by the petitioner by filing an appeal. Feeling aggrieved by the rejection of the appeal by the Collector, present petition came to be filed by the petitioner.

5. It is not in dispute that the petitioner reside in a posh area of Seminary Hills in Nagpur City. Though respondent no. 1 resides in the said house and has rented out one room and is getting an amount of Rs.5000/- towards rent but, still looking to the skyrocketing prices of the essential commodities and the cost of medicine/medical treatment, in my view, the Authorized Officer has rightly calculated the amount of maintenance

and also appeal against the said order was rightly dismissed by the Collector.

6. The learned counsel for the petitioner filed additional affidavit of the petitioner in which the petitioner has stated that respondent no. 1 is earning Rs.30,000/- per month from renting the shops and the photographs have been filed in that regard. It appears from the photographs that only one shop is opened and perhaps that is the same room which is rented out by respondent no. 1 and as claimed by the petitioner in his written submission before the Authorized Officer that respondent no. 1 is getting rent of Rs.5000/- which is duly considered by the Authorized Officer and the Appellate Authority while passing the orders impugned.

7. Therefore, no perversity found in the impugned orders passed by the Competent Authorities. Hence, the petition is dismissed.

(M. W. CHANDWANI, J.)