



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.5091 OF 2025

SANDIPKUMAR HUKUMCHANDJI ZAMBAD AND ANOTHER
VERSUS
PADMABAI WD/O HUKMICHANDJI ZAMBAD AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. S.S. Bhalerao, Advocate for Petitioners.
Ms. S.N. Thakur, AGP for Respondent Nos.2 & 3-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 09th MARCH 2026

1. Heard learned Advocate for the petitioners.
2. By this petition, the petitioners have challenged an order dated 09.10.2024, passed by respondent No.2 Sub Divisional Officer, Darwha, in proceedings bearing No.01 of 2024-25 and order dated 30.05.2025, passed by respondent No.3 Collector, Yavatmal, in Appeal bearing No.02 of 2025, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. By the impugned orders, a direction is issued to the petitioners to pay maintenance of Rs.10,000/- per month to respondent No.1, who is senior citizen and mother of petitioner No.1 and mother-in-law of petitioner No.2.
3. Learned Advocate for the petitioners submits that respondent No.1 is having sufficient means and lot of property with

her and the claim for maintenance is filed by her only at the instance of sister of petitioner No.1. He submits that the petitioners are not in a position to pay maintenance even of Rs.10,000/- per month and at the most, an amount of Rs.3,000/- could have been the appropriate amount.

4. A perusal of the impugned orders passed by the Tribunal as well as Appellate Tribunal reveal that the Tribunals have given due consideration to the needs put forth by the senior citizen including the fact that the senior citizen, who is aged 85 years old, is unable to maintain herself and petitioner No.1 herein is an Advocate by profession and is duty bound to maintain his mother. The authorities below have also given due consideration to the contentions of both the parties and have directed that an amount of Rs.10,000/- per month is appropriate to be paid to the senior citizen, as maintenance.

5. A perusal of the impugned orders also reveal that the impugned orders are passed in tune with object and purpose behind the Act, which aims to grant protection and maintenance to the senior citizens, who are unable to maintain themselves. It has also to be noted that the impugned order passed by the Appellate Tribunal is dated 30.05.2025 and the instant petition was filed on 24.06.2025 and thereafter, the petitioners have not taken steps to get the petition

circulated. Having regard to the overall conduct of the petitioners, it appears that the petition is filed only to avoid the responsibility and harass the senior citizen.

6. Having regard to the fact that respondent No.1/senior citizen is aged about 85 years old and seeking maintenance against her son and daughter-in-law, who are duty bound to maintain their mother and considering the needs for food, clothing and medical expenses, I do not find any perversity with the impugned orders warranting interference. No indulgence is, therefore, warranted under Article 227 of the Constitution of India with the impugned orders. Hence, the writ petition is dismissed with no order as to costs.

(PRAFULLA S. KHUBALKAR, J.)

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