



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

CWP-2775-2025

Date of Decision: **27.01.2026**

SHRUTI

.....Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Himanshu Bansal, Advocate,
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Raghav Sharma, Advocate,
for respondents no.3 and 4.

KULDEEP TIWARI, J.(Oral)

1. Through the instant petition, as cast under Article 226/227 of the Constitution of India, a challenge is thrown to the eviction order dated 13.12.2024 (Annexure P-8), passed by learned appellate authority concerned.

2. At the very outset, learned counsel for the petitioner while placing upon a judgement dated 15.12.2025, passed by a Division Bench of this Court in **“Babu Lal Sharma vs. Sushila Devi and others” LPA-701-2018, and connected petitions**, submits that the original application against the daughter-in-law by the senior citizen under the provision of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, is itself, not maintainable.

3. On the contrary, learned counsel for respondents no.3 and 4 (senior citizens), submits that the original application against the daughter-in-law, is maintainable, and to lend vigor to his arguments, he placed reliance upon various judgments, which are as under:-

- i. S.R.Batra and another vs. Smt.Taruna Batra, 2007 (1) RCR (Crl.) 403;
- ii. Sardara Ram vs. Paramjit Kaur, 2018 (5) RCR (Crl.) 975;
- iii. Rajeshwar Prasad Roy vs. The State of Bihar and Ors., 2025 (2) ICC 677;
- iv. Balasaheb Patil and ors. vs. Smt. Soni @ Sonia Patil and ors.
Law Finder Doc. Id # 2617580

4. This Court has considered the submissions, as made by both learned counsel for the parties, and has perused the aforesaid judgements.

5. The Division Bench of this Court in **Babu Lal Sharma's** case (*supra*), has very categorically, after considering the judgment passed by the Hon'ble Supreme Court in “**Smt. S. Vanitha Vs.The Deputy Commissioner, Bengaluru Urban District and ors.**”, (Civil Appeal No.3822 of 2020, decided on 15.12.2020), has clearly held that no application against the daughter-in-law under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, for her eviction, is maintainable.

6. In view of the above, this Court finds no reason to take a different view, as has been taken in **Babu Lal Sharma's** case (*supra*), which continues to hold precedential value for this Court. Therefore, the instant petition, is hereby, **allowed**, and the impugned order is, ordered to be **set aside**.

7. All pending application(s), if any, also stand **disposed** of accordingly.

January 27, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No