



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

126

CWP-7647-2026

Date of Decision: 13.03.2026

DR. SHAMAN BHARDWAJ

...Petitioner(s)

Versus

STATE OF U. T. CHANDIGARH AND OTHERS...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- Mr. Arnav Sood, Advocate and
Mr. Manpreet Singh, Advocate for the petitioner.

Mr. Tarunvir Singh Lehal, Additional Standing Counsel and
Mr. Nikhil Vats, Junior Standing Counsel
for respondents no.1 and 2.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the second respondent/Deputy Commissioner, Chandigarh, to hear and decide the appeal dated 05.03.2026, Annexure P-2, filed against the order dated 16.02.2026, passed by Additional Deputy Commissioner-cum-Maintenance Tribunal, U.T. Chandigarh, under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, directing the petitioner to vacate the premises, 2231, Sector 38-C, Chandigarh, within thirty days from the date of receiving a copy of the order.

2. Learned counsel for the petitioner contended that the petitioner has filed an appeal against the order of eviction before the Appellate Authority/second respondent, which was received in his office on 05.03.2026, as is apparent from the document, 'Required information at the time of filing civil case', Annexure P-2. However, the appeal has not been taken up for hearing so far, and the thirty days' period to vacate the premises is to expire

on 17.03.2026. Along with the appeal, he has also filed an application for interim stay of eviction order dated 16.02.2026. In case the appeal is not heard along with the said application, material prejudice will be caused, as the petitioner would be liable to vacate the premises.

3. Learned counsel for respondents no.1 and 2, appearing on advance notice, submits that the appeal along with the said application was taken up on 10.03.2026, and has now been posted for hearing on 19.03.2026 at 02:00 pm. He has shown the copy of order passed by the second respondent to that effect, which is retained on the case file as Annexure ‘A’.

4. The facts aforementioned make it apparent that the appeal against the order of eviction, as also the application for interim stay, has not been heard by the second respondent, and the time to vacate the premises in terms of the order under appeal is fast approaching. In case it is not heard prior to 17.03.2026, the last day to vacate, valuable rights of the petitioner would stand frustrated. And the hearing is not likely prior to that date as the appeal is now fixed for 19.03.2026.

5. Accordingly, this Court deems it appropriate to dispose of the petition with a direction to the second respondent to consider and decide the petitioner’s appeal along with the said application expeditiously. Till a decision is taken on the stay application, the petitioner shall not be evicted from the premises.

(TRIBHUVAN DAHIYA)
JUDGE

13.03.2026
Ad

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>