

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

105

CWP-8804-2026

Date of Decision : March 23, 2026

TEK CHAND

-PETITIONER

V/S

PHOOL KUMAR AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. A.P. Bhandari, Advocate, with
Ms. Bhargavi, Advocate
for the petitioner.

Mr. Bhupender Singh, Addl. A.G., Haryana.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, a challenge has been laid to the order dated 17.11.2025 passed by the respondent No.5- Sub-Divisional Magistrate-cum-Maintenance Tribunal, under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the 'Act of 2007').

2. The impugned order is appealable under Section 16 of the Act of 2007, and learned counsel for the petitioner fairly concedes the same. However, no statutory appeal has been filed against the said order.

3. Therefore, the instant writ petition is disposed of, with liberty to the petitioner to file the statutory appeal. In the event that the petitioner files the statutory appeal under Section 16 within 15 days from today, along with an application for condonation of delay, if applicable, it is expected that the appellate tribunal shall decide the delay application by considering

the fact that the petitioner had *bona fidely* approached this Court in the first instance to agitate his claim.

4. **Disposed of accordingly.**

March 23, 2026
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No