

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

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CWP-11164-2020 (O&M)

Date of Decision : May 25, 2026

LAKHWINDER SINGH

-PETITIONER

V/S

SUB-DIVISIONAL MAGISTRATE, DASUYA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Bhupender Singh, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, a challenge has been laid to the order dated 25.09.2019 passed by the 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'), whereby transfer deed dated 25.07.2016, except to the extent of Khasra No.35//2/2/1 (1-1), 2/2/3(3-17), has been cancelled.

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 30 days from today, along with an application for condonation of delay, it is expected that the Appellate Tribunal shall decide the delay application sympathetically by considering

the fact that the petitioner had *bona fide*ly approached this Court at the first instance to agitate his claim. Furthermore, the statutory appeal, if preferred by the petitioner within the stipulated period, shall be decided expeditiously by the Appellate Tribunal, preferably within a period of three months of its institution.

4. The interim stay granted by this Court shall remain in operation till the next 30 days. In case, the petitioner files an application for stay of the impugned order, along with the statutory appeal, the Appellate Tribunal shall decide the said application on its own merits, without getting influenced from the interim stay granted by this Court.

5. **Disposed of accordingly.**

6. Pending application also stands disposed of accordingly.

May 25, 2026
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(KULDEEP TIWARI)
JUDGE

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