

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

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CWP-15824-2026

Date of Decision : May 20, 2026

KARAMJIT SINGH

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Sidhant Bhonsle, Advocate
for the petitioner.

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

KULDEEP TIWARI, J. (ORAL)

1. The instant writ petition has been instituted by the son assailing the orders dated 15.07.2025 and 25.03.2026 passed by the Maintenance Tribunal and the Appellate Tribunal respectively, whereby he has been directed to vacate one room in the house in question to facilitate the residence of his mother (respondent No.4), who is in the twilight of her life, and further to construct a separate bathroom and provide her with basic amenities.

2. Succinctly stated, the present case depicts an unfortunate situation where respondent No.4 was constrained to approach the Maintenance Tribunal by filing an application under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as “the Act of 2007”), seeking the right of entry in the house in question. The said application was opposed tooth and nail by her son (petitioner). Consequently, the Maintenance Tribunal conducted a

local inquiry and, thereafter, vide order dated 15.07.2025, granted respondent No.4 the right to access and reside in the house in question. The petitioner was directed to vacate one room situated on the ground floor of the house for the residence of respondent No.4, to construct a separate bathroom within a period of three months, and to provide her with basic amenities.

3. It is apposite to note that the house in question, one room whereof has been allocated to respondent No.4 for residence, is undisputedly owned by her deceased husband. It is constructed over 14 marlas of land and comprises a double-storeyed structure. The ground floor consists of two rooms, a drawing room, a kitchen, a bathroom, a verandah, and a staircase leading to the upper floor, whereas the upper floor comprises three rooms.

4. The order of the Maintenance Tribunal caused pain to the petitioner and triggered him to institute a statutory appeal thereagainst before the Appellate Tribunal. He, however, remained unsuccessful as the Appellate Tribunal, after giving due opportunity of hearing to parties and considering the material on record, dismissed the appeal vide order dated 25.03.2026 and affirmed the order of the Maintenance Tribunal. Thus having remained unsuccessful, the petitioner has instituted the instant writ petition assailing the orders (supra).

5. At the outset, learned counsel for the petitioner sought to impress this Court by submitting that the petitioner is willing to keep his mother with him. However, he strenuously opposed the directions issued by the Maintenance Tribunal requiring the petitioner to vacate one room and construct a separate bathroom for respondent No.4, contending that the same

would amount to partial eviction of the petitioner from the premises. He further submitted that such willingness is subject to the condition that the petitioner's siblings would not be permitted to enter the house in question.

6. Assailing the impugned orders, learned counsel for the petitioner laid considerable emphasis on the past conduct of respondent No.4 and submitted that she had lodged a complaint before the Commissioner of Police, Ludhiana, alleging that the petitioner intended to kill her. It is further contended that after the demise of the petitioner's father, dispute arose between the petitioner and respondent No.4 with regard to the estate of the deceased, particularly concerning rival Wills, one allegedly executed in favour of respondent No.4 and the other in favour of the petitioner. It is submitted that on account of the said disputes, a civil suit concerning the property of the deceased is pending between the parties, wherein the Civil Court has restrained the parties from alienating the property.

7. Learned counsel for the petitioner further contended that respondent No.4, on the one hand, has moved an application seeking transfer of all proceedings pending at Ludhiana to S.A.S. Nagar, while, on the other hand, she has invoked the provisions of the Act of 2007 seeking the right to reside in the house situated at Ludhiana, thereby indicating that she is voluntarily residing at S.A.S. Nagar. He also submitted that during the inquiry conducted by the Maintenance Tribunal, statements of certain residents of the locality were recorded, who stated that respondent No.4 did not have cordial relations with the residents of the locality.

8. This Court has heard learned counsel for the petitioner at considerable length and has made a studied survey of the record.

9. Learned counsel for the petitioner has been unable to point out any illegality or infirmity in the exercise of power by the Maintenance Tribunal in issuing the directions embodied in the impugned order dated 15.07.2025. The submissions advanced on behalf of the petitioner are primarily founded upon the alleged past conduct of respondent No.4 and the pendency of a civil dispute between the parties. The willingness of the petitioner to keep respondent No.4 with him is also conditional in nature. Furthermore, the very fact that the petitioner has chosen to assail the impugned orders, whereby respondent No.4 has merely been granted the right to reside in one room of the house in question, clearly reflects his unwillingness to permit his mother to reside therein.

10. The traditional ethos of Indian society regards the care and maintenance of parents as a sacred and indispensable obligation. However, with changing times, these moral values are gradually declining, and many parents and senior citizens are being neglected or denied maintenance by their financially capable children or relatives. In order to safeguard the rights and interests of such parents and senior citizens, who are in the twilight of their lives and unable to meet their basic needs, the Parliament enacted the Act of 2007 in the 58th year of the Republic of India. The Statement of Objects and Reasons of the Act of 2007 deserves to be extracted hereinafter to give a purposive interpretation to its provisions and to ensure effective protection of the interests and welfare of parents and senior citizens.

“Statement of objects and reasons - In spite of provisions of maintenance under Section 125 Cr.P.C., it was deemed necessary that there should be simple, inexpensive and speedy provisions to

claim maintenance for the parents - The Act is not restricted to only providing maintenance but cast an obligation on the persons who inherit the property of their aged relatives to maintain such aged relatives -- One of the major aims was to find out a suitable mechanism for the protection of 'life and property of older persons.' *Sharmila v. State of Haryana and others (P&H) (2018) Law Today Live Doc. Id. 11111 = 2018(2) L.A.R. 610."*

11. At this juncture, this Court deems it appropriate to refer to the following verses from the Taittiriya Upanishad (Shikshavalli 1.11.2), which reflect the traditional values of Indian society and the duties expected from every individual:

***“Matru Devo Bhava
Pitru Devo Bhava
Acharya Devo Bhava
Atithi Devo Bhava.”***

12. These verses mean: “Be one to whom a Mother is as God, Be one to whom a Father is as God, Be one to whom a Teacher is as God, Be one to whom a Guest is as God.”

13. The present case is a glaring example of a departure from the moral and cultural values that have formed the foundation of Indian society. In the considered opinion of this Court, the conduct of the petitioner deserves to be deprecated in the strongest terms. Consequently, the instant writ petition, being devoid of merit, is hereby **dismissed with costs of Rs.50,000/-**, to be deposited by the petitioner in the account of respondent No.4 within a period of one month from today.

May 20, 2026
devinder

(KULDEEP TIWARI)
JUDGE

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