

CM-5658-LPA-2025 in/and
LPA-2241-2025

127

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

CM-5658-LPA-2025 in/and
LPA-2241-2025

JUDGEMENT RESERVED ON	JUDGEMENT PRONOUNCED ON	OPERATIVE PART PRONOUNCED OR FULL	UPLOADED ON
23.02.2026	17.03.2026	FULL PRONOUNCED	17.03.2026

Kirpal Singh

...Appellant

Versus

District Magistrate-cum-Presiding Officer and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA
HON'BLE MRS. JUSTICE SUKHVINDER KAUR

Present: Mr. K.B. Raheja, Advocate
for the applicant-appellant.

Mr. Harjinder Singh, Advocate
for respondent No.2.

ANOOP CHITKARA, J.

1. Challenging the judgment passed by a Single Bench of this Court on 08.01.2025, the father has come up before this Court by filing the present LPA.

2. I have heard counsel for the parties and have gone through the record and its analysis would lead to the following outcome.

3. The dispute between the parties started when an application was filed by the appellant- Kirpal Singh for maintenance under Maintenance and Welfare of Parents and Senior Citizens Act, 2007 in which he sought cancellation of the transfer of ownership deed vide which he had transferred property to the respondent- son Karamjeet Singh. Vide impugned order, the learned SDM disposed of the matter because the parties entered into a compromise in which present respondent No. 2- Karamjeet Singh had agreed to deposit ₹2500/- per month in the account of his father and another son Kirpal Singh had also agreed to deposit the same amount in his account. After that, the present appellant filed an appeal before the appellate authority who was Deputy Commissioner, Mohali. The reason for appeal was that the children did not take them back to their home nor did they pay money as promised and compromised. A reply was filed by respondent No. 2 to the said appeal in which it was explicitly stated that the appellant is a retired government employee from the Government of Haryana and is drawing a pension of

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LPA-2241-2025

₹30,000/- per month and in addition to that, he is also getting a subsidy of ₹6000/- from the Central Government on the land. The respondent also showed their income and stated that it is much less than that of the parents.

4. Vide Annexure P-6, the Tribunal after considering all the allegations dismissed the appeal.

5. Feeling aggrieved, the appellant i.e. father filed a writ petition before this Court. Vide judgment dated January 08, 2025 the Single Bench of this Court disposed of the said petition by considering the undertaking of respondent No.2 that he will pay not only Rs.2500/- to petitioner but also pay Rs.2500/- to his grandmother and recorded the statement of the respondents regarding its payment.

6. Aggrieved by the said order, the appellant- father Kirpal Singh had filed the present LPA. On the request of this Court, the matter was tried before Mediation which has failed and as such, it has to be heard on merits.

7. It is not disputed by the appellant explicitly admitted that he is a retired government employee from the State of Haryana and is drawing salary of ₹30,000/-. It is also not explicitly disputed that he is getting ₹6000/- monthly subsidy from the Central Government. Thus, his total monthly income is ₹36,000/-. In addition to that, the sons have agreed to give him ₹2500/- each. Thus, by no stretch of imagination, it can be said that the appellant would need any financial support or he is somebody who is abandoned in violation of the terms and conditions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Further regarding non-payment of money, Section 11 of the Act deals with enforcement and it is not for the father to have file writ petition in this Court and after that LPA. It is absolutely gross abuse of process of law. In the entirety of facts and circumstances, no case is made out for interference in the order passed by the Single Bench.

8. Consequently, the present LPA is dismissed. All pending applications, if any also stands disposed of.

(ANOOP CHITKARA)
JUDGE

(SUKHVINDER KAUR)
JUDGE

17.03.2026
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.