



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

209

LPA-1359-2017 (O&amp;M)

Date of Decision: 12.01.2026

AVTAR SINGH

...Appellant

Versus

THE APPELLATE MAINTENANCE TRIBUNAL MOHALI AND ORS

...Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI  
HON'BLE MR. JUSTICE VIKAS SURI**

Present:- Mr. Harish Goyal, Advocate, for the appellant.

Mr. Yatin Bunker, AAG, Punjab.

Mr. Baaghi Sangeet Pal Singh, Advocate,  
for LR's of respondent No.3.

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**HARSIMRAN SINGH SETHI, J. (ORAL)**

1. In the present appeal, the challenge is to the order dated 18.04.2017 passed by the learned Single Judge, by which the orders passed by the authorities under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007 (for short '2007 Act') in favour of the senior citizen, have been upheld.

2. Learned counsel for the parties submit that unfortunately, the senior citizen-respondent No.3 has passed away during the pendency of the present appeal.

3. Learned counsel appearing on behalf of the legal heirs of respondent No.3, except the appellant, submits that a civil suit was filed challenging the transfer deed, which was withdrawn due to the passing of an



order by the Tribunal under the 2007 Act. He submits that the legal heirs of respondent No.3 be given liberty to revive the said suit to be decided on merits keeping in view the settled principle of law and the order passed by the Tribunal under the 2007 Act will not be enforced.

4. Learned counsel for the appellant submits that keeping in view the statement made by learned counsel appearing on behalf of the remaining legal heirs, the present appeal may kindly be disposed of having not been pressed. It is mentioned that as per the prayer of the legal heirs of the senior citizen, they will be at liberty to revive the civil suit, which was filed by the senior citizen qua the same property before the Civil Court.

5. It may be noticed that in case the civil suit is revived, same will be decided on the basis of the evidence, which will be brought on record, without any being influenced by any order passed under the 2007 Act by the authorities.

6. Pending applications, if any, also stand disposed of.

( HARSIMRAN SINGH SETHI )  
JUDGE

( VIKAS SURI )  
JUDGE

January 12, 2026  
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|---------------------------|-----|
| Whether speaking/reasoned | Yes |
| Whether reportable        | No  |