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

(212)

CWP-25077-2025

Date of Decision : 18.02.2026

Kanta Chawla

...Petitioner

Versus

Presiding Officer cum Additional District Magistrate,
Kurukshetra and another

...Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Jagdish Manchanda, Sr. Advocate with
Mr. Nischal Chetanya Manchanda, Advocate
Mr. Devyansh, Advocate and
Ms. Marvi Singh, Advocate
for the petitioner.

Mr. Kapil Bansal, DAG, Haryana.

Mr. Vivek Goyal, Advocate
for respondent No.2.

KULDEEP TIWARI, J. (ORAL)

1. The legality of order dated 09.01.2025 (Annexure P-6), as passed by learned Additional District Magistrate, Kurukshetra (respondent No.1), has been put to challenge by petitioner (senior citizen), as the application preferred by her under Sections 22(2) and 32(f) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short 'the Act of 2007), seeking eviction of daughter-in-law (respondent No.2), has been dismissed.

2. Learned senior counsel for the petitioner has addressed principle legal argument, to the effect, that impugned order is void being *corum non judice*. He submits that Govt. of Haryana through the relevant notification

dated 30.12.2025, issued by Social Justice, Empowerment, Welfare of



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Scheduled Castes and Backward Classes and Antyodaya (Sewa) Department, has notified the composition of the learned Maintenance Tribunal, as well as, learned Appellate Authority.

3. Learned counsel for respondent No.2, who is daughter-in-law of the petitioner, at the outset, by placing reliance upon the judgment passed by Division Bench of this Court in ***LPA-701-2018 (Babu Lal Sharma Vs. Sushila Devi and others)***, and other connected matters, submits that the application under the Act of 2007, itself is not maintainable against the respondent No.2, being the daughter-in-law. He further submits that learned Additional District Magistrate, Kurukshetra, has already examined all the issues, and has rightly rejected the application there being a matrimonial dispute between the parties. Finally, he submits that various civil litigations were/are pending or decided, which would reflect that the nature of the dispute is not as projected through the application under the Act of 2007.

4. Before this Court examine the impugned order on merits, let's first deal with the principle argument, as raised by the learned senior counsel for the petitioner. The impugned order is admittedly, passed by learned Additional District Magistrate, Kurukshetra, which is not the notified Maintenance Tribunal, in view of the relevant notification dated 30.12.2025, issued by State of Haryana, therefore, the impugned order is *per se* illegal, being *coram non judice*.

5. In view of the above, the impugned order dated 09.01.2025 (Annexure P-6), is hereby, **set aside** and the instant *lis* is **remanded back** to the Maintenance Tribunal, constituted in view of the notification (supra), issued by the State of Haryana. Learned Additional District Magistrate, Kurukshetra, is directed to forthwith, transfer the entire record of the case to



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the Maintenance Tribunal, which shall decide the instant *lis*, within a period of four months, from the date of receipt of certified copy of this order, after affording adequate opportunity of hearing to the parties concerned.

6. The respondent No.2, would be at liberty to raise the issue of maintenance, in view of the verdict rendered by the Division Bench of this Court in the judgment *Babu Lal Sharma (supra)*.

7. Consequently, the instant writ petition is **disposed of**.

(KULDEEP TIWARI)
JUDGE

February 18, 2026
Manpreet

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No