

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

103

CWP-37722-2018

Date of Decision : January 21, 2026

JYOTI CHHABRA

-PETITIONER

V/S

**ADDITIONAL DISTRICT MAGISTRATE-CUM-ADDITIONAL
DEPUTY COMMISSIONER, PANCHKULA AND ORS.**

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. H.S. Saini, Advocate
for the petitioner.

Mr. Bhupender Singh, Addl. A.G., Haryana.

Mr. Kunal Dawar, Sr. Advocate, with
Ms. Shruti Mandhotra, Advocate
for the respondent No.2.

Mr. Krishan M. Vohra, Advocate, with
Ms. Upasana Thakur, Advocate
for the respondent No.3.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, filed as far back as 2018, the petitioner assails the order dated 07.09.2018, whereby the respondent No.1, on an application filed by the respondent No.2 (petitioner's father-in-law) under the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as "the Act of 2007"), directed the eviction of the petitioner and the respondent No.3 from the house in question.

2. Learned counsel for the petitioner submits that the question *"whether eviction can be sought against a daughter-in-law under the provisions of the Act of 2007"* has been answered in the negative by a Division Bench of this Court in LPA-701-2018, decided on 15.12.2025.

3. Learned senior counsel for the respondent No.2, on the other hand, submits that after the institution of the application by the respondent No.2, the petitioner had herself vacated the house in question. Accordingly, the application was, in fact, pursued erroneously and ought to have been withdrawn at that stage, when the cause of action had ceased to exist. Nonetheless, he seeks permission to withdraw the original application, pursuant to which the impugned order was passed.

4. Learned counsel for the petitioner does not dispute the factual narration advanced by learned senior counsel for the respondent No.2. However, he submits that as the petitioner had been residing on the first floor of the house in question, certain of her dowry articles still remain there.

5. Be that as it may, in view of the prayer of the respondent No.2 for withdrawal of the original application, it is unnecessary to examine the legality of the impugned order. **The respondent No.2 is permitted to withdraw the original application, and consequentially, the impugned order stands set aside.**

6. As regards the petitioner's claim that some of her dowry articles still remain in the house in question, this issue can only be adjudicated in an appropriate proceeding instituted before the competent forum/court. This Court refrains from adjudicating this dispute, leaving the parties free to raise this issue before the appropriate forum/court.

7. **Disposed of accordingly.**

January 21, 2026
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(KULDEEP TIWARI)
JUDGE

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