



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

107

LPA-3736-2025 (O&M)**Date of Decision: 25.03.2026**

NIRMALA

...Appellant

Versus

DISTRICT MAGISTRATE AND APPELLATE TRIBUNAL AND ORS

...Respondents

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

Present:- Mr. Amit Jain, Advocate, for the appellant.

HARSIMRAN SINGH SETHI, J. (ORAL)**CM-1902-LPA-2026**

Prayer in the present application is for recalling of order dated 31.01.2026, by which the appeal was dismissed for non-prosecution.

Keeping in view the averments made in the application, which is duly supported by an affidavit, order dated 31.01.2026 is recalled and the appeal is restored to its original number and status and on the request of learned counsel for the appellant, the appeal is taken on board for consideration.

CM stands disposed of.

LPA-3736-2025 (O&M)

1 In the present appeal, the challenge is to the order dated 01.10.2025 passed by the learned Single Judge in CWP-38095-2018, by which the writ petition filed by respondent No.3 challenging the order dated 13.11.2018 (Annexure P-14) passed by the learned IAS District Collector and Appellate Authority under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to be as '2007 Act') has been



allowed and the said order dated 13.11.2018 has been set aside.

2. Learned counsel appearing for the appellant very fairly concedes the fact that under the 2007 Act, the claim cannot be made against daughter-in-law as per the settled principle of law in LPA-701-2018, titled as ‘*Babu Lal Sharma vs. Sushil Devi and others*’ decided on 15.12.2025. Learned counsel for the appellant submits that in the present appeal, the claim was raised against the daughter-in-law and therefore, the present appeal may be disposed of in terms of LPA-701-2018. Learned counsel for the appellant further submits that in case, any finding is recorded which is favourable to the appellant in proceedings pending between the parties under the Domestic Violence Act, 2005, liberty be given to the appellant to avail appropriate remedy.

3. In view of the above, the present appeal is dismissed in terms of LPA-701-2018, titled as ‘*Babu Lal Sharma vs. Sushil Devi and others*’ decided on 15.12.2025. It goes without saying that in case, after the conclusion of the litigation raised under Domestic Violence Act, 2005, any right accrues for the appellant, she can avail appropriate remedy.

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

(HARSIMRAN SINGH SETHI)
JUDGE

(VIKAS SURI)
JUDGE

March 25, 2026
harish

Whether speaking/reasoned	Yes
Whether reportable	No