



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

CWP-36510-2025

Date of Decision : **14.01.2026**

SHWETA ANAND

.....Petitioner

VERSUS

STATE OF HARYANA AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Yowan Sharma, Advocate,
for the petitioner.

Mr. Bhupender Singh, Addl.AG, Haryana.

KULDEEP TIWARI, J.(Oral)

1. The petitioner, who is a daughter-in-law of respondents no. 4 (senior citizen), has approached this Court through the instant petition, a cast under Article 226/227 of the Constitution of India, as she has been evicted from her matrimonial house pursuant to order dated 11.11.2025 (Annexure P-5), as passed by the learned Seniors Citizen Tribunal concerned.

2. The grievance of the petitioner which has been encapsulated in the instant petition is that, her appeal is pending consideration, and even a stay has been granted therein, and despite that, order of the learned Senior Citizens Tribunal concerned, has been executed, and she has been thrown out of the house in question.

3. Learned counsel for the petitioner submits that the house in question is a shared household, therefore, the petitioner is competing her

right against the senior citizen's right as protected under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, which had to be adjudicated by the learned Maintenance Tribunal concerned, however, the latter concerned, had, unfortunately, failed to do so. Fetching grievance from such an illegal order a statutory appeal has been preferred within a statutory time period, despite that petitioner has been evicted from her matrimonial house, with the connivance of the local police.

4. Learned counsel for the petitioner informs this Court that the appeal against the order of learned Maintenance Tribunal concerned, is still pending, and till date no final decision has been taken thereupon.

5. At this stage, this Court refrains itself to make any observation on the merits of the instant matter, however, considering the fact that the learned Appellate Authority, is already seized of the matter, which is competent to examine all the issues, as have been raised before this Court. Therefore, the petitioner is **relegated** the learned Appellate Authority concerned to raise all such pleas, as have been raised through the instant petition. However, considering the grievance of the petitioner, a *mandamus* is passed upon the latter concerned to consider the all submissions, as have been made by the petitioner through the instant petition, as well as in the appeal, and thereupon, pass a speaking order after giving due opportunity of hearing to all the parties concerned, preferably within a period of 30 days from the date of receipt of a certified copy of this order.

6. Mr. Bhupender Singh, Addl.AG, Haryana, who is present in Court, is directed communicate the Deputy Commissioner-cum-Appellate

Authority concerned, about the aforesaid directions, as has been passed by this Court.

7. **Disposed of** accordingly.

January 14, 2026
dharamvir

(KULDEEP TIWARI)
JUDGE

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