IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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LPA-2464-2026

Anuradha Bansal

... Appellant

Versus

District Magistrate and others

... Respondents

Judgment Reserved on	Judgment Pronounced on	Judgment Uploaded on	Whether only the operative part of the judgment is pronounced	Whether the full judgment is pronounced
31.08.2026	**07.09.2026**	**08.09.2026**	**No**	**Yes**

CORAM:- **HON'BLE MR. JUSTICE SUVIR SEHGAL**
HON'BLE MR. JUSTICE RAJESH GAUR

Present:- Mr. Sachit Sehijpal, Advocate (THROUGH V.C.) and
Mr. Deepam Raghav, Advocate
for the appellant.

Mr. Deepak Vashisth, DAG, Haryana.

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SUVIR SEHGAL, J.

1. This appeal has been filed under Clause X of the Letters Patent challenging judgment dated 20.04.2026 passed by the learned Single

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Judge, whereby a writ petition filed by the appellant, seeking eviction of respondent No. 3 (her daughter-in-law) from a residential property invoking the provisions of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (for short, "the Act of 2007") has been dismissed.

2. Counsel for the appellant contends that the appellant is the absolute owner of the residential property. After the death of her husband, her two sons i.e respondent No. 4 and his elder brother, were residing in the same property and were paying rent to her, as reflected from the income tax returns. Counsel states that when respondent No.4 ceased to pay rent and vacated the premises, his wife - respondent No. 3 started harassing the appellant. It is his contention that the private respondents could reside in the residential premises with the permission of the appellant and they do not possess an independent or pre-existing right in the immovable property. Counsel urges that the learned Single Judge erred in coming to the conclusion that the provisions of the Act of 2007 had been invoked at the behest of respondent No. 4 to settle personal scores with his estranged wife respondent No. 3.

3. We have heard counsel for the appellant at some length and have given our thoughtful consideration to the arguments addressed by him besides examining the record.

4. It cannot be disputed that there is a marital discord between respondent No.3 and respondent No.4, who is the son of the appellant. Respondent No.3 has separately filed an application under the Act of 2007, which is pending. After examining the merits of the present application, learned Single Judge has returned a categorical finding that the application has

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been preferred by the appellant before the Maintenance Tribunal to set up a defense, which her son – respondent No. 4 intends to take in the proceedings initiated by respondent No.3 under the Act of 2007. Learned Single Judge has observed that present proceedings have been initiated by appellant at the behest of her son, respondent No.4. This finding has been arrived at particularly after noticing that plea regarding non-payment of rent by respondent No.4 was not set up before the Maintenance Tribunal nor substantiated before the writ Court. The underlying objective of the Act of 2007 is to uphold the obligation of children and relatives to provide for senior citizens, but the provisions of the statute cannot be pressed into service for the adjudication of matrimonial or property disputes. They cannot be used to evict an estranged daughter-in-law, who otherwise possesses a right to reside in the shared household as held by the Hon'ble Supreme Court in ***S. Vanitha Versus Deputy Commissioner, Bengaluru, Urban District and others, (2021) 15, SCC 730***.

5. The property in question had devolved in equal share upon the appellant as well as both her sons upon the demise of appellant's husband. Appellant chose to proceed only against her younger son and his wife without initiating any action against her elder son. This circumstance further reinforces the inference drawn by the learned Single Judge as to the real purpose behind the proceedings.

6. In view of the aforegoing discussion, this Court does not find any error, much less any perversity or illegality in the order passed by the learned Single Judge warranting interference in an intra-court appeal.

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7. Instant Letters Patent Appeal lacks merit and is dismissed. Although this appeal deserves to be dismissed with heavy costs, yet noticing the advanced age of the appellant, this Court is refraining from doing so.

8. Pending miscellaneous application(s), if any, shall stand disposed of.

(SUVIR SEHGAL)
JUDGE

(RAJESH GAUR)
JUDGE

07.09.2026

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Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No

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