

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

103

CWP-29055-2025 (O&M)

Date of Decision : September 26, 2025

JAGDISH KUMAR SOOD

-PETITIONER

V/S

**DEPUTY COMMISSIONER-CUM-DISTRICT
TARN TARAN AND OTHERS**

MAGISTRATE,

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Pranav Arora, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

CM-14589-CWP-2025

1. As prayed for, the instant application is **allowed**. Learned counsel for the petitioner is granted leave to file this writ petition without Number on Roll.

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2. The petitioner filed an application under Section 23 of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before the Sub Divisional Magistrate, Tehsil Patti, District Tarn Taran, seeking cancellation of the transfer deed executed by him in favour of his own brothers/respondents No.3 and 4. This application was allowed vide order dated 17.01.2023, which caused pain to the respondents No.3 and 4 and propelled them to file an appeal thereagainst before the District Magistrate, Tarn Taran. The District Magistrate, Tarn Taran, by drawing the order dated

16.07.2025, set aside the order dated 17.01.2023. Now, the order dated 16.07.2025 has been impugned before this Court.

3. This Court posed a specific query to learned counsel for the petitioner as to how the application (*supra*), wherethrough primarily a partition dispute has been raised, is maintainable by the petitioner against his own brother(s). After arguing for some time, learned counsel for the petitioner seeks leave to withdraw the original application filed before the Sub Divisional Magistrate, Tehsil Patti, District Tarn Taran however, with liberty to avail the alternative remedy(ies) available under law for redressal of petitioner's grievance.

4. The request of learned counsel for the petitioner is allowed, being innocuous and *bona fide*. He is permitted to withdraw the original application, with liberty (*supra*).

5. **Disposed of accordingly.**

September 26, 2025
devinder

(KULDEEP TIWARI)
JUDGE

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