

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

202

CWP-6794-2025

Date of Decision : September 09, 2025

SOM DUTT

-PETITIONER

V/S

STATE OF HARYANA AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

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

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

Mr. Bhanu Pratap, Advocate (Through V.C.)
for the respondent No.4.

KULDEEP TIWARI, J. (ORAL)

1. Through the instant writ petition, a challenge has been laid to the order dated 24.08.2023 passed by the respondent No.3-Chairman, Maintenance Tribunal, Karnal, under provisions of The Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as the 'Act of 2007').

2. The impugned order is appealable under Section 16 of the Act of 2007, however, no statutory appeal has been filed thereagainst.

3. Learned counsel for the petitioner submits that, although the petitioner tried to file the statutory appeal, the reader of the appellate authority/tribunal refused to accept the same on the premise that the impugned order is without jurisdiction, hence appeal cannot be accepted against such an order.

4. Although this Court is not observing anything with regard to the oral submissions made by learned counsel for the petitioner, there is

no dispute that the impugned order can ably be assailed by filing the statutory appeal under Section 16 of the Act of 2007. Therefore, the instant writ petition is disposed of, with liberty to the petitioner to file the statutory appeal. In the event that the petitioner files the statutory appeal under Section 16 within 30 days from today, along with an application for condonation of delay, it is expected that the appellate authority/tribunal shall decide the delay application by considering the fact that the petitioner had *bona fidely* approached this Court at the first instance to agitate his claim.

5. The impugned order shall not be executed till the next 30 days. In case, the petitioner files an application for stay of the impugned order, along with the statutory appeal, the appellate authority/tribunal shall decide the said application on its own merits, without getting influenced from the interim stay granted by this Court.

6. Disposed of accordingly.

September 09, 2025		(KULDEEP TIWARI)
devinder		JUDGE
	Whether speaking/reasoned	: Yes/No
	Whether Reportable	: Yes/No