



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

LPA-2636-2025(O&M)

**Date of Decision: September 02, 2025**

Jeet Singh

.....Appellant

Vs

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA  
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present : Appellant in person.

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**ROHIT KAPOOR, J.**

**CM-6630-LPA-2025**

1. For the reasons mentioned in the application, the same is allowed and the delay of 64 days in filing of the accompanying appeal is condoned.

**Main case**

2. The present Letters Patent Appeal has been filed against the judgment and order dated 28.05.2025 passed by the learned Single Judge in CWP-15724-2025, whereby the challenge to the orders dated 19.02.2025 and 17.09.2024 passed by the authorities under the Maintenance and Welfare of parents and Senior Citizens Act, 2007 (hereinafter referred to as 'the Act of 2007') has not been accepted, and the writ petition has been dismissed.

3. Shorn of unnecessarily details, the essential facts required to be noticed for the adjudication of the present appeal are that the appellant-Senior Citizen claims to have given the property in question to the private respondents No.4 and 5, who are his sons from the first wife, who are



allegedly not maintaining him and it was on this premise that he had filed a petition under Sections 4, 5 and 23 of the Act of 2007 before respondent No.3 *inter-alia* on the ground that after transferring of the property in question to respondent No.4, private respondents No.4 and 5 failed to provide care and support to him. It was alleged that the appellant being elderly, was incapable of working and had no source of income and under such circumstances, maintenance to the tune of Rs.30,000/- per month as well as cancellation of transfer deed dated 19.04.2023, was sought.

4. The private respondents No. 4 and 5 controverted the allegations made by the appellant and it was *inter-alia* brought to the notice of the respondent No. 3-authority that after the divorce of the appellant with their mother, about 30-35 years back, they were brought up by their maternal grand-parents. The property in question was ancestral in nature. The appellant, who has remarried, has been living with his second wife and respondent No. 6, who is his son from the second marriage. Several years later, when the appellant's brother attempted to take control of the ancestral property, respondent No.4 supported him in reclaiming the same by assisting in recovering the possession and also bore all the legal expenses and represented the appellant in civil cases related to the property in question, in various Courts. Despite the fact that respondent No. 4 spent his entire life taking care of the appellant and fighting legal battles concerning the property in question and even suffering an FIR alongwith the appellant, yet the appellant in a dubious manner transferred part of the property in question, in favour of his second wife through a separate deed. Allegations regarding the appellant running a fish farming business with his second wife and respondent no. 4, a Solar system business in Sunam under the name of UTL Solar,



registered in the name of his second wife, and an apple juice manufacturing factory in Talwandi were made. It was the case of respondent no. 4 that the appellant is living comfortably with his second wife and their son from the second marriage. It was further alleged that the transfer of the property in question was in view of a family settlement and a dispute has been raised by the appellant under the influence of his second wife only on account of the fact that respondent No.4 had sought settlement of accounts in the fish farming business, wherein huge losses had been suffered.

5. Respondent No.3 after considering the facts involved and the material available on record, dismissed the petition of the appellant vide order dated 17.09.2024.

6. Aggrieved therefrom, the appellant filed a statutory appeal before respondent No.2-Appellate Tribunal, which has also been dismissed vide order dated 19.2.2025. The relevant findings of the Appellate Tribunal are reproduced as under:-

*“After hearing the arguments of the counsel and reviewing the record, it was found that the appellant, Jeet Singh, had two marriages, and respondents No. 1 and 2 are his children from the first wife. After the appellant divorced his first wife, the children went to live with their maternal grandparents, who also took care of their upbringing. The appellant now resides in Sunam Udham Singhwala with his second wife and son from the second marriage. Respondents No. 1 and 2 are willing to accommodate and care for the appellant. However, the appellant is adamant only about canceling the property transfer and claiming maintenance allowance. Moreover, the appellant has various businesses under his name in different locations, and he utilizes the income from these businesses himself. Therefore, the order dated 17.09.2024 passed by the subordinate court is based on facts*



*and is correct, and the appellant's appeal deserves to be dismissed.”*

7. The appellant thereafter laid challenge to the orders dated 17.09.2024 & 19.02.2025, passed by the authorities under the Act of 2007, by filing CWP-15724-2025 under Article 226 of the Constitution of India. After considering the submissions made by the learned counsel for the appellant, the learned Single Judge dismissed the petition vide order dated 28.05.2025.

Paragraphs.4 and 5 of the order are extracted as under:-

*“4. The Tribunal after appreciating the evidence, which had come on record have recorded the finding that the senior citizen is living with his second wife and the children born out of the said wedlock and is living separately from the private respondents-sons from the first wife. Further, the facts have also come on record which could show that the claim that the petitioner-senior citizen that he is not being maintained, has not been proved as the senior citizen has enough property to support himself. The said fact has gone unrebutted even before this Court.*

*5. Keeping in view the fact that the petitioner-senior citizen has enough property to maintain himself and the present claim is only a property dispute so as to claim back the property from the children of the first wife of the petitioner hence, the order dated 19.02.2025 (Anexure P/3) passed by the authority exercising the jurisdiction under the 2007 Act is perfectly valid and legal and needs no interference at the hands of this Court especially when the impugned award has not been shown to be perverse to the facts or evidence that has come on record hence, the present petition is accordingly dismissed.”*

8. We have heard the appellant, who has appeared in person and have also gone through the material available on record.



9. The authorities under the Act of 2007 have duly examined the peculiar facts involved and material on record, and on being convinced that the appellant is living comfortably with his wife and son from the second marriage and that the dispute is in the nature of family/property dispute, with the sole intent of claiming back the property from the children of the first wife of the appellant, have refused to grant the relief to the appellant. Even before the learned Single Judge, the findings regarding the appellant being maintained and looked after, and having sufficient resources have gone un rebutted. The appellant has failed to point out any infirmity in the orders passed by the respondent-authorities under the Act of 2007 and on a pointed query of the Court, he concedes that he is residing with his second wife and son from the second marriage. The factum regarding transfer of property by the appellant in favour of his second wife is also not disputed. No other point has been argued before us.

10. Under the circumstances, we do not find any illegality, infirmity or perversity in the order passed by the learned Single Judge and as a result thereof, the present Letters Patent Appeal is dismissed.

**(ASHWANI KUMAR MISHRA)**  
**JUDGE**

**(ROHIT KAPOOR)**  
**JUDGE**

**September 02, 2025**

*ajaysharma*

Whether speaking/reasoned. : Yes/No

Whether Reportable. : Yes/No