

Court No. - 1

Case :- MISC. BENCH No. - 23537 of 2020

Petitioner :- Dr. Krishna Pal Singh (Senior Scientist) & Another

Respondent :- State Of U.P.Thru Prin.Secy. Social Welfare Deptt.Lko & Ors.

Counsel for Petitioner :- Daya Shanker Tripathi

Counsel for Respondent :- C.S.C.

Hon'ble Pankaj Mithal,J.

Hon'ble Saurabh Lavania,J.

Heard Sri Daya Shanker Tripathi, learned counsel for the petitioners and learned Standing Counsel, who has appeared for the State Authorities.

The petitioners claim that they are senior citizens and are entitled to receive protection and security from the State.

It is alleged that the two daughters of the petitioners and their sons-in-law are interested in grabbing the house of the petitioners and have inducted one stranger Ms. Sudha in the house with the result that the entire social life of the petitioners has been disturbed. The petitioners for the purposes of their own safety, security and for the protection of their property moved an application dated 18.06.2020 before the District Magistrate, Lucknow, a copy of which with necessary endorsement is filed as Annexure No.12 to the writ petition but no action has been taken on the said application.

The Uttar Pradesh Maintenance and Welfare of Parents and Senior Citizens Rules, 2014 framed under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 casts an obligation upon the district administration, specially, the District Magistrate to ensure that the life and property of senior citizens of the district are protected and they are able to live with security and dignity.

In view of Rule - 21 of the said Rules, we are of the view that the District Magistrate is duty bound to take appropriate steps and action on the aforesaid application of the petitioners dated 18.06.2020.

Accordingly, we direct the District Magistrate to take immediate action as far as possible within a period of one month from the date of copy of this order is produced before him.

Learned Standing Counsel is directed to submit the action taken report before the Court within six weeks.

Learned Standing Counsel on the next date shall also inform this Court as to the action taken by the State pursuant to the judgment and order dated 30.10.2017 passed by the Division Bench of this Court in Civil Misc. Writ Petition No.31851 of 2016 (Km. Janki Devi and Another vs. State of U.P. and others).

Issue notice to respondent nos.8 to 11,

Steps be taken within seven working days.

List the petition for admission/final disposal after six weeks.

Order Date :- 2.12.2020

sks