

(2021) 11 UK CK 0032

In the Uttarakhand High Court

Case No : Writ Petition (M/S) No. 2325 Of 2021

Abida Khan & Others

APPELLANT

Vs

Prescribe Authority & Others

RESPONDENT

Date of Decision : 10-11-2021

Acts Referred:

Maintenance And Welfare Of Parents And Senior Citizens Act, 2007 — Section 5(1)(a), 5(1)(b)

Citation : (2021) 11 UK CK 0032

Hon'ble Judges : Manoj Kumar Tiwari, J

Bench : Single Bench

Advocate : Dharmendra Barthwal, M.S. Bisht

Final Decision : Dismissed

Judgement

Manoj Kumar Tiwari, J

1. Maternal grandfather of the petitioners has filed an application under Section 5 (1) (a) & (b) of Maintenance and Welfare of Parents and Senior Citizens Act, 2007 before Prescribed Authority/S.D.M., Haldwani, District Nainital. Prescribed Authority has issued notice to the petitioners and according to the petitioners, they have filed their objection against said application.

2. By means of this writ petition, petitioners have sought the following relief:

"I. Issue Writ of mandamus or any other appropriate Writ, Direction or Order and be pleased to allow the petition and be further pleased to quash and set aside the proceedings instituted by respondent no. 1 and 2 as against the petitioner's no. 1 to 3 Vide case of Hameeda Khan vs Aabida and Others and case of Liyakat Hussain vs Aabida and Others."

3. It is admitted position that no order adverse to the interest of the petitioners has been passed as yet. Thus, in the humble opinion of this Court, any interference in the matter at this stage would be uncalled for.

4. Accordingly, writ petition fails and is dismissed.