

(2022) 12 DEL CK 0239

In the Delhi High Court

Case No : Civil Miscellaneous (Main) No. 1113 Of 2021, Civil Miscellaneous Application No. 43761 Of 2021

Gian Chand Gupta

APPELLANT

Vs

Shashi Kumar Gupta & Anr

RESPONDENT

Date of Decision : 15-12-2022

Acts Referred:

Citation : (2022) 12 DEL CK 0239

Hon'ble Judges : Tushar Rao Gedela, J

Bench : Single Bench

Advocate : Amit Gupta, Gaurav Sharma, Avinash K. Trivedi, Anurag Kaushik, Kapil Anand

Final Decision : Disposed Of

Judgement

Tushar Rao Gedela, J

[The proceeding has been conducted through Hybrid mode]

1. After some arguments, learned counsel appearing for both the parties are agreeable, if an order of status quo as obtaining today, is passed in the matter and the Appellate Authority under the Maintenance and Welfare of Parents and Senior Citizen Act, 2007, is directed to expeditiously dispose of the appeal on merits.

2. In view of the above submissions, as also in the opinion of this Court, since the merits of the matter are yet to be adjudicated upon by the Tribunal, it is directed that the status quo as to possession, as obtaining today in respect of the subject property, be maintained till the Appellate Authority disposes of the appeal.

3. The Appellate Authority is directed to dispose of the pending appeal No.PA/ Div.Comm./Appeal No.299/2021/561-563 titled as "Smt. Hemlata Gupta & Ors. Vs. Gian Chand Gupta", expeditiously but not later than two months from the date of the receipt of this order.

4. The aforesaid order has been passed without prejudice to the rights and contentions of either of the parties and all the contentions, which they may wish to take up before the Appellate Authority is kept reserved.
5. The petition is disposed of in the aforesaid terms with no orders as to costs.