



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPC No. 2767 of 2026

ASHWANI KAUSHIK *versus* STATE OF CHHATTISGARH

Order Sheet

04/06/2026	Ms. Deepanjali Tiwari, learned counsel for the petitioner. Mr. Rajkumar Gupta, learned Additional Advocate General for the State. Learned counsel for the petitioner submits that the petitioner has challenged the order dated 26.05.2026, passed by the concerned Collector/appellate authority whereby the appeal filed by the petitioner under Section 16(1) of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (in short" Act of 2007") has been dismissed without considering Section 6 of the Act of 2007 according to which the order impugned is liable to be set aside. Mr. Gupta, learned Additional A.G. appearing for State/respondent Nos. 1 to 4 submits that due compliance

of the provisions of the Act of 2007 has been made and thereafter, the impugned order has been passed. As such, no case is made out for grant of any interim protection to the petitioner.

Considering the fact and circumstances of the case, particularly, the fact that according to the petitioner provisions of the Act of 2007 have not been followed in this case and the petitioner is residing alongwith his family members in the house of his father and mother till date and there appears to be possibility of amicable settlement between the parties, purely as an interim measure, till the next date of hearing, no coercive steps shall be taken against the petitioner for dispossession.

It is made clear that only on the ground of dispossession of the petitioner from the house, this interim relief is granted. On the next date of hearing, the petitioner has to make arrangements for his residence as prayed and directed by this Court in the earlier round of litigation in WPC No. 2366/2026 in which in paragraph 6 the following observation has been made:

“6. Considering the fact that the petitioner is residing in the subject premises

alongwith his family members and seeks only a short breathing period to make alternative arrangements and avail appropriate remedies, this Court is of the opinion that limited interim protection deserves to be granted in the interest of justice”

This stay order would be effected only in respect of dispossession of the petitioner and as regards the remaining part of the impugned order in respect of the monitory amount, it is required to be complied with by the petitioner.

Post this matter in the week commencing **22nd of June, 2026.**

Meanwhile, counsel for the petitioner is directed to pay Process Fee for issuance of notice to respondent Nos. 5, 6 & 7.

Accordingly, IA No.03/2026 application for listing the case during summer vacation and IA No.04/2026 application for urgent hearing are hereby rejected.

**Sd/-
(Amitendra Kishore Prasad)
JUDGE**