ARUNA SANDEEP TALWALKAR
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6059 OF 2026

Prakash Keshav Dhage & Anr. …Petitioners.

Versus

The State of Maharashtra & Ors. …Respondents.

Mr. Pratik Deshmukh i/b. Mr. Shubham Vasekar, Advocate for Petitioners.
Smt. Aloka Nadkarni, AGP for Respondent/State.

CORAM: N. J. JAMADAR, J.

DATE : 4TH MAY 2026

P.C.:

1. Heard the learned Counsel for the Petitioners.

2. The challenge in this Petition is to an order dated 14th August, 2025 passed by the Appellate Tribunal in an Appeal preferred by the Petitioners against an order passed by the Maintenance Tribunal dated 12th March, 2025.

3. By the impugned order, the Appellate Tribunal dismissed the Appeal against the order of the Maintenance Tribunal, thereby directing the Petitioners to make provisions for the residence and maintenance of the Respondent No. 4, the father of Petitioner No. 1.

4. The learned Counsel for the Petitioners submitted that since the Petitioner No. 1 has instituted a suit for partition of the house property, the Respondent No. 4 instituted proceedings before the Maintenance Tribunal under the Senior Citizens Act to wreak vengeance. Attention of the Court was invited to the order passed by the Civil Court in an Application for rejection of the plaint in the suit instituted by the Petitioner No. 1 and an undertaking furnished by the Respondent No. 5, (who is the Nephew of the Petitioner No. 1), that Respondent No. 5 will not create any third party interest in the suit property till the decision of the said suit.

5. The learned Counsel for the Petitioners fairly informed the Court that the Respondent No. 4 is 95 years of age. The definition of 'Maintenance' under the Senior Citizens Act is of wide amplitude. It covers within its ambit a provisions for the residence of the Senior Citizen in a peaceful and dignified manner.

6. By the order dated 12th March, 2025, the Maintenance Tribunal has directed the Petitioners to make a provision for the residence of the Respondent No. 4 which is in accord with the situation in the life of the Respondent No. 4 and also provide for his maintenance. Such an order

was justifiably refused to be interfered with by the Appellate Tribunal. *De hors* the litigation between the Petitioners and Respondent No. 4, it is the bounden duty of the Petitioner No.1 to maintain the Respondent No. 4 in the evening of his life. Thus, in exercise of supervisory jurisdiction, no interference is warranted with the order passed by the Maintenance Tribunal and affirmed by the Appellate Tribunal.

7. The Writ Petition stands dismissed.

[N. J. JAMADAR, J.]