

Maintenance Tribunal has ascribed justifiable reasons to only grant maintenance and reject the prayer to cancel the gift deed. The Appellate Authority was not justified in setting aside the order of the Maintenance Tribunal and directing the cancellation of the gift deed and delivery of the possession of the subject flat.

4. It appears that during the pendency of the proceeding before the Maintenance Tribunal, Smt. Kasturi Parmeshwar Golla, the mother of the petitioner and wife of the respondent no. 4, one of the donors, passed away. Thus, the question as to whether the gift deed could have been cancelled after the demise of one of the donors, and its implications on the rights of the donee, qua the share of the deceased donors, in the subject property, arises for consideration.

5. Issue notice to the respondents, returnable on 9th October 2025.

6. Learned AGP waives notice to respondent nos. 1 to 3.

7. In addition to notice through Court, the petitioner shall serve the respondent no. 4 by private notice and file an affidavit of service.

8. In the meanwhile, clause (4) of the impugned order passed by the Appellate Authority directing the delivery of the possession of the subject flat, stands stayed.

(N.J. JAMADAR, J)