

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION***

WRIT PETITION NO.2438 OF 2023

Mahesh Jagjivandas Gandhi and Anr. ...Petitioners
Versus
Chairman and Designated Officer
and Sub Divisional Officer,
Parents and Senior Citizen Maintenance
Tribunal and Ors. ...Respondents

Mr. Chaitanya Chavan with Mr. Sagar Parab i/b Vigil Juris, for the
Petitioners.

Mr. Naushad Engineer with Ms. Sneha Mahawar i/b Mr. Tushar
Goradia for the Respondent No.2.

Ms. Fatima Lakdawalla, A.G.P. for the Respondent Nos.5 and 6.

***CORAM: BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ.***

DATE : 27th APRIL 2026

P.C. :

1. The writ petition is filed raising a challenge to the
Judgment of the Presiding Officer, Maintenance Tribunal of Parents
and Senior Citizens and Sub-Divisional Officer, Mumbai Western
Suburbs, thereby allowing the application in favour of
Mr. Indravardhan Gandhi and declaring that the Gift Deed executed

by him on 3rd October 2016 in favour of the Defendant No.1 his brother and Defendant No.2 his wife, is null and void. A direction was also issued to them to hand over the possession of the said flat which was the subject matter of the dispute within a period of one month to the applicant in peaceful manner and in good condition.

2. We are informed that this order passed by the Tribunal on 27th March 2022 was not executed and Mr. Indravardhan Gandhi demised on 30th March 2022, immediately after the order was passed.

Probably that may be one of the reason why the order could not be executed. However in the changed circumstances, since we are informed that the parties would like to explore an possibility of an amicable settlement, re-notify to **6th May 2026**. To be listed on the Supplementary Board.

MANJUSHA DESHPANDE, J.

BHARATI DANGRE, J.