



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 835 of 2025

[Sattar Jabbar Ali and anr. ..vs.. State of Maharashtra, through its
Social Justice and Special Assistance Department, Mumbai and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. F. R. Kashif, Advocate for the petitioners
Mr. K. R. Lule, AGP for the State

CORAM : ANIL L. PANSARE J.

DATED : 02-04-2025

Heard.

The petition arises out of the provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007. Section 4 of the Act provides that a senior citizen including parent, who is unable to maintain himself from his own earning or out of the property owned by him, shall be entitled to make an application under Section 5.

Thus, the application by a senior citizen for maintenance could be filed if the senior citizen is unable to maintain himself from his own earning or out of the property owned by him.

In the present case, respondent no. 3 - a senior citizen appears to have filed application under Section 5. Respondent no. 2 - Collector though noted that respondent no. 3 is a retired Government servant, who retired as Tahsildar and receives pension, has not given due consideration to the said aspect and directed petitioners to pay maintenance at Rs. 5,000/- each.

For the time being, issue notice to respondent nos. 1 to 3, returnable in four weeks.

Learned Assistant Government Pleader waives
notice for respondent nos. 1 and 2.

(Anil L. Pansare, J.)

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