

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

WRIT PETITION NO.835 OF 2025

(Sattar Jabbar Ali and another Vs. State of Maharashtra thr. its Social Justice & Special Assistance Department, Mumbai and others)

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

Court's or Judge's orders.

Mr. S. O. Ahmed, Advocate for Petitioners.
Mrs. Mrunal Naik, AGP for Respondent Nos.1 & 2/State.
Mr. A. P. Thakare, Advocate for Respondent No.3.

CORAM: PRAFULLA S. KHUBALKAR, J.

DATE: 24th JULY, 2025.

1. Learned counsel for the petitioner submits that in accordance with order dated 30.06.2025 the arrears of maintenance are already deposited within the time and wants to place on record a pursis in that regard. Learned counsel for respondent no.3 seeks time to file affidavit-in-reply to the petition. The same may be filed within a week. In view of this, the interim relief to continue till next date.

2. It has to be noted that order dated 30.06.2025 records in para 8 as follows:

8. As this stage, learned A.G.P. submits that the proceedings of eviction appears to have been initiated in terms of complaint lodged by respondent No.3 on 10.06.2025. If that be so, the authorities shall proceed to take appropriate action in terms of provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, which shall include, amongst others, the proceedings of eviction against the

petitioners. In fact, the petitioner's counsel should have disclosed this fact. Having not disclosed the said fact, the petitioner shall show cause why costs should be not imposed for misleading the Court and why should the petition be not dismissed on this count alone.

3. In view of this counsel for the petitioner is directed to clarify the position by way of affidavit as to whether any other proceedings seeking eviction, in between the parties are pending.

4. Put up the matter for further consideration on 31.07.2025.

(PRAFULLA S. KHUBALKAR, J.)