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MAINTENANCE TRIBUNAL, DISTRICT WEST, DELHI
D.M. OFFICE, OLD MIDDLE SCHOOL BUILDING, RAMPURA, DELHI.
(UNDER MAINTENANCE AND WELFARE OF THE PARENTS AND SENIOR
CITIZENS ACT, 2007

No. 78/ADM(W)/Sr.Citizen/6816/2013-14/ 782-784

Dated : 7/2/14

IN THE MATTER OF:-

1. Sh. Ishwar Lal Valecha
R/o 3/47, Moti Nagar,
New Delhi-110015

.....Petitioner

Vs.

1. Sh. Raj Kumar
S/o Sh. Ishwar Lal Valecha
R/o A-8/94, Moti Nagar,
New Delhi-110015

At also:-
Shop No. 3/47, Moti Nagar,
New Delhi-110015

.....Respondent

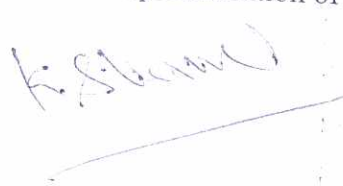
ORDER
06/02/2014

This order shall dispose of fresh application made by the Senior Citizen Sh. Ishwar Lal Valecha R/o 3/47, Moti Nagar, New Delhi-110015 against his son Sh. Raj Kumar R/o A-8/94, Moti Nagar, New Delhi-110015 at also Shop No. 3/47, Moti Nagar, New Delhi-110015 for non-compliance of Tribunals orders issued on 11/07/2013.

Notices were issued and the respondent appeared before the Tribunal. During the final hearing on 06/02/2014 the respondent admitted that he had not paid maintenance to his father the petitioner inspite of being given enough time and opportunity to do so.

The petitioner Senior Citizen Sh. Ishwar Lal Valecha appeared before the Tribunal a number of times and verbally deposed that the respondent son Sh. Raj Kumar had not complied with the Tribunals orders of paying the maintenance amount.

The harassed sick senior citizen suffering from wide spread cancer is regularly taking treatment and undergoing investigations at Govt. Hospital: incurring expenses on his transportation and medical treatment. The petitioner has been approaching the Tribunal to seek implementation of the Tribunal's Orders.





The tribunal invokes Chapter-II, Clause V Sub Clause 8 of Maintenance of Parents and Senior Citizens Act, 2007 quote "children or relative so ordered fail, without sufficient cause to comply with the order, any such Tribunal may, for every breach of the order, issued a warrant for levying the amount due in the whole, or any part of each month's allowance for the maintenance and expenses of proceeding, as the case be, remaining unpaid after the execution of the warrant, to imprisonment for a term which may extend to one month or until payment if sooner made whichever is earlier" unquote.

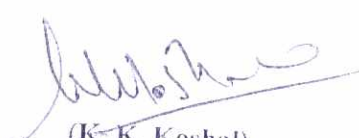
As an exemplary punishment under the above mentioned clause of the maintenance act for non-compliance of the tribunals order. The Tribunal announces Jail Term of 15 days for the respondent Sh. Raj Kumar S/o Sh. Ishwar Lal Valecha, R/o A-8/94, Moti Nagar, New Delhi-110015 at also Shop No. 3/47, Moti Nagar, New Delhi-110015.

The release orders of Sh. Raj Kumar shall be issued after the amount of Rs. 70000/- (Seventy Thousand Rupee Only) i.e. amount due w.e.f. 1st of August, 2013 to 28th February, 2014 is deposited before the Tribunal in Cash/Demand Draft, in favour of the petitioner Sh. Ishwar Lal Valecha and also a bond submitted that the maintenance amount shall be paid by him for the next two months and also subsequently.

The SHO to take the respondent Sh. Raj Kumar in the immediate custody and to submit a compliance report within two weeks from the date of issue of this order.


(Dr. K. S. Verma)
MEMBER


(M. T. KOM)
PRESIDING OFFICER,
ADM (WEST), DELHI


(K. K. Koshal)
MEMBER



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