MAINTENANCE TRIBUNAL (SUB-COLLECTOR), ATHAMALLIK

Maintenance Case No. 04 of 2026 (MWPSC Act, 2007)

Sudarshan Munda and Dhira Munda … Applicants v. their son and widowed daughter-in-law … Opposite Parties

Decided on 29 September 2026

Maintenance and Welfare of Parents and Senior Citizens Act, 2007 – Sections 4 and 5. Landless elderly parents with negligible income are entitled to maintenance from their son and the daughter-in-law in possession of the family property, in addition to their old age pension, and to live peacefully in their homestead without harassment.

Result: Application allowed. Monthly maintenance fixed from October 2026; peaceful residence ensured.

ORDER

BRIEF BACKGROUND OF THE CASE

1. This proceeding arises out of an application filed under Section 4 read with Section 5 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 (hereinafter referred to as "the Act") by the senior citizen applicants, Sri Sudarshan Munda and Smt. Dhira Munda.

2. The applicants submitted that they are elderly, possess no land, have negligible earning capacity, and require financial support and care from Opposite Party No. 1 (their younger son) and Opposite Party No. 2 (their widowed daughter-in-law).

3. The application was taken up on record on 23.07.2026 and registered as Maintenance Case No. 04/2026. Notices were issued to the Opposite Parties pursuant to Section 5(3) read with Section 6(2) of the Act directing them to appear before the Tribunal on 28.07.2026

PROCEEDINGS AND FIELD INQUIRY FINDINGS

4. Both parties appeared on 28.07.2026 and were heard in part. To ascertain the true economic status, land holdings, and living conditions of the parties, this Tribunal directed the Tahasildar, Athamallik (Office Letter No. 3915 / Dt. 07.09.2026) to conduct a field inquiry through the Revenue Inspector (R.I.), Purunamanatri.

5. The Tahasildar, Athamallik submitted the detailed inquiry report vide Letter No. 1073 / Dt. 23.09.2026, incorporating the findings of R.I., Purunamanatri:

6. Applicants (Sudarshan Munda & Dhira Munda): The applicant father has no landed property in his name. His estimated annual income is Rs.20,000/-. He receives an Old Age Pension from the government, which is the primary source of maintenance for both husband and wife.

7. Opposite Party No. 1 (Babula Munda - Younger Son): He works as a daily laborer with an approximate annual income of Rs.50,000/-$. He holds homestead land of Ac.0.040 (Plot No. 777/827/967 under Khata No. 53/20 of Mouza Rajing) allotted under the Vasundhara Scheme in 1997, and holds a government Ration Card.

8. Opposite Party No. 2 & Family (Smt. Lasa Munda & sons Tapan Munda, Nikun Munda): The widowed daughter-in-law and grandsons work as daily laborers with a combined annual income ofRs.80,000/-$. They hold homestead land of Ac. 0.040(Plot No. 827/987 under Khata No. 53/44 of Mouza Rajing) allotted under the Vasundhara Scheme in 2008, and hold a government Ration Card.

EVALUATION AND LEGAL CONSIDERATIONS

9. Under Section 4(1) of the Act, senior citizens who are unable to maintain themselves out of their own income are entitled to maintenance from their children/legal heirs.Both the applicants and the respondents belong to low-income, daily-wage laborer families residing on homestead plots allotted under government welfare schemes (Vasundhara Scheme).

10. The applicants survive primarily on Old Age Pension.

11. Opposite Party No. 1 (son), earning Rs.50,000/-annually as a daily laborer, holds a primary legal obligation under the Act to care for his elderly parents.

12. Opposite Party No. 2 (widowed daughter-in-law) along with her adult working sons (grandsons of the applicants) earn a combined Rs.80,000/-annually and share moral and familial responsibility toward the elderly head of the family.

13. Taking into consideration the socio-economic standing, daily-wage income status, and statutory requirements under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, it is hereby ordered that:

14. Opposite Party No. 1 (Sri Babula Munda) shall pay a monthly maintenance allowance of Rs.1,000/- (Rupees One Thousand only) per month to the applicant parents.

15. Opposite Party No. 2 (Smt. Lasa Munda) and her family shall pay a monthly maintenance allowance of Rs.500/-(Rupees Five Hundred only) per month to the applicant parents.

16. Rs.1,500/-per month to the applicants, in addition to their Old Age Pension.

17. The maintenance allowance shall be paid to the applicants on or before the 10th day of each succeeding English calendar month, commencing from October 2026.

18. Both Opposite Parties shall ensure that the elderly applicants are permitted to live peacefully without any obstruction, physical threat, or mental harassment in their homestead residence.

19. Any default in payment of the stipulated maintenance amount shall attract immediate enforcement action under Section 5(8) and Section 11 of the Act.

20. Pronounced and given under my hand and seal of this Tribunal on this 29th day of September, 2026.

Maintenance Tribunal, Athamallik

Sd/-

Presiding Officer, Maintenance Tribunal, Athamallik

Odisha Revenue Laws · Revenue Court Orders. Reported for the reference of revenue officers. The order applies to its own facts; check the current law before relying on it.