MAINTENANCE TRIBUNAL (SUB-COLLECTOR), ATHAMALLIK

Maintenance Case No. 06 of 2026 (MWPSC Act, 2007)

Rajani Behera … Applicant v. Prakash Behera (son) … Opposite Party

Decided on 29 September 2026

Maintenance and Welfare of Parents and Senior Citizens Act, 2007 – Sections 4 and 5. Where mother and son reconcile before the Tribunal and the son is found to be looking after her, the application can be disposed of as reconciled without monetary directions, with liberty to the mother to return if neglect recurs.

Result: Disposed of as reconciled; liberty reserved to the applicant.

ORDER

BRIEF BACKGROUND OF THE CASE

1. The present 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 applicant, Smt. Rajani Behera, seeking maintenance and care from her son, Sri Prakash Behera (Opposite Party). The application was taken up on record on 23.07.2026 and registered as Maintenance Case No. 06/2026. Notices were issued pursuant to Section 5(3) read with Section 6(2) of the Act directing the Opposite Party to appear before the Tribunal on 28.07.2026 and submit his reply.

PROCEEDINGS AND TRIBUNAL OBSERVATIONS

2. On 28.07.2026, both parties appeared in person before the Tribunal. The Tribunal heard both parties in detail and perused the application along with the written response filed by the Opposite Party:

3. During the course of the hearing, this Tribunal personally observed that the applicant, Smt. Rajani Behera, is unable to walk independently due to old-age ailments

4. Her son, the Opposite Party (Sri Prakash Behera), tenderly carried his elderly mother in his arms into the Court Hall for the proceedings. The genuine care, affection, and respect shown by the son towards his mother were personally witnessed and noted by the Tribunal.

5. Upon summary enquiry, it was ascertained that the Opposite Party has been taking proper care of his mother by providing adequate food, shelter, clothing, and medical care according to his financial capacity

6. The applicant mother expressly admitted during the hearing that she resides with her son and is being well looked after by him.

7. It is evident that the application was initially filed due to temporary misunderstandings and family disputes, which have since been fully resolved and reconciled between the mother and son.

FINDINGS AND FINDINGS OF LAW

8. Under Section 4 of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007, an order for maintenance is contingent upon establishing that the child or legal heir has neglected or refused to maintain the senior citizen.

9. In the present case, based on the physical appearance, depositions, and voluntary admissions of the applicant, this Tribunal finds no evidence of neglect, refusal, or ill-treatment on the part of the Opposite Party.

10. Since the Opposite Party is fulfilling his filial and legal duties to maintain his mother with dignity, no coercive directions or monetary mandates are required at this stage.

11. In view of the above observations and reconciliation, IT IS HEREBY ORDERED THAT:

12. The present application under Section 4 read with Section 5 of the Act is hereby DISPOSED OF as reconciled, without any adverse monetary or enforcement directions against the Opposite Party.

13. The Opposite Party (Sri Prakash Behera) shall continue to maintain, support, and look after his mother, Smt. Rajani Behera, with dignity, affection, and proper medical care as he has been doing.

14. Liberty is reserved to the senior citizen petitioner to approach this Tribunal afresh should any cause of action arise due to future neglect or denial of maintenance

15. 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

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