

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.3611 of 2015

Date of Decision.27.02.2015

Jasbir Singh and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

Present: Mr. Avtar Singh Bhatti, Advocate
for the petitioners.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. To be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

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K. KANNAN J. (ORAL)

1. There is no scope for intervention where the petitioners were only pleading that there was a compromise between the parties during the course of proceedings. I have looked into the compromise. It only says that Jasbir Singh has filed a case in the court and the parties will abide by the decision of that case and the father will be at liberty to lease out the land to any one. It does not report anywhere that the son will not be liable to pay the maintenance nor does it say that the father was giving up his claim for maintenance.

2. Learned counsel for the petitioners argues that the father has disowned the petitioners as sons and therefore, there cannot be any liability for maintenance. An emotional detachment of the father to the way sons behave is not the same thing as casting away a legal obligation on the part of the sons to maintain the father which the statute supports.

3. The petitioners have also a grievance that they have not been provided adequate opportunity to contest the case. I have seen the text of the order and it says that the parties were present when the order was passed. The proceedings before the authority which are summary in nature will not go through all the trappings which are used by the parties in the normal civil proceedings. It is time now to give meaning to the elaborate provisions of the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 that sets a different dispensation relating to maintenance for the father against the son. I will find no cause for intervention.

4. The writ petition is dismissed.

(K. KANNAN)
JUDGE

February 27, 2015
Pankaj*