

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CR No. 4676 of 2015 (O&M)

Date of decision: 30.03.2016

Reetu Rani

... Petitioner

versus

Anita Rani and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Siddharth Gupta, Advocate for the petitioner.

Mr. K.P.S. Dhillon, Advocate for the respondents.

K.Kannan, J. (ORAL)

Counsel for the respondents prays for adjournment. I reject the plea for adjournment and proceed to dispose of the case on merits. The revision is against the suit for disallowing the plea by the petitioner to prosecute the suit as an indigent person. The suit is for damages against the defendant for some loss caused to her by unlawful termination of the services of her husband. At the inquiry, the respondent was attempting to secure proof that her husband has secured a commercial connection for the property in which the petitioner is living along with her husband. The resources of the husband cannot affect the wife's own status as an indigent person. He further contended that the petitioner is taking tuition and making a living. An indigent person need not necessarily be a person who is left with no resources to feed herself and her own plea that she is left with no resources to pay court fee ought to be taken as sufficient for allowing of exemption from payment of court fee as an indigent person.

The impugned orders are set aside and the Court below is directed to register the suit and dispose of the case in accordance with law without insisting on payment of Court fee.

The civil revision petition is allowed with above direction.

30.03.2016

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**(K.KANNAN)
JUDGE**