

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRR-3673-2016 (O&M)
Date of Decision:- 05.10.2016

Monika Nirola and another

....Petitioners

Versus

Raj Kishore Kumar

....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Manmeet Singh Rana, Advocate,
for the petitioners.**

RITU BAHRI, J. (Oral)

Present revision petition is against the order dated 21.05.2016 passed by the learned Judicial Magistrate 1st Class, Patiala, whereby an application filed by the respondent (husband) under Order 6 Rule 17 CPC to amend the reply has been allowed.

As is evident from the record that during the pendency of petition filed by the petitioners under Section 125 Cr.P.C. for grant of maintenance, the respondent has come to know that after the death of mother of petitioner No.1 in November, 2013, she has become owner of five shops and residential house. She is also owner of vacant plot. After considering the facts and circumstances of the case, the application under Order 6 Rule 17, filed by the respondent, for adding of para No.22-A in his

reply has been allowed by the JMIC, Patiala by holding that the petitioners will be given fair opportunity to disprove the facts mentioned in the application.

After hearing the learned counsel for the petitioners, going through the recod, this Court is of the considered view that the learned Judicial Magistrate 1st Class, Patiala, has rightly allowed the application filed by the respondent, vide order dated 21.05.2016 and the same has been passed after appreciating the evidence in the correct prospective and does not require any interference. Such order, containing valid reasons, cannot possibly be interfered with by this Court, in exercise of limited revisional jurisdiction of this Court, unless and until, the same is illegal, perverse and without jurisdiction. Since, no such patent illegality or legal infirmity has been pointed out by the learned counsel for the petitioners, so, the impugned order deserves to be and is hereby maintained in the obtaining circumstances of the case.

In the light of aforesaid reasons, as there is no merit, therefore, the instant revision petition is hereby dismissed as such.

October 05, 2016
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	/No