

102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRR No. 847 of 2016 (O&M)
DECIDED ON: MAY 16, 2016

SATPAL & ORS

....PETITIONERS

VERSUS

RAM CHAND

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

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?

Present: Mr. Ravi K. Mattoo, Advocate
for the petitioners.

JASPAL SINGH, J (ORAL)

CRM No. 7117 of 2016

In view of averments made in the application, the same is allowed and delay of 43 days in filing the instant petition is condoned.

CRR No. 847 of 2016

Challenge in this revision petition is to the order dated October 15, 2015 passed by learned Additional Sessions Judge, Patiala whereby, order dated January 03, 2015 passed by learned Judicial Magistrate Ist Class, Patiala allowing an interim maintenance to the respondent @ ₹4000/- PM has been upheld.

While assailing the impugned orders passed by both the courts below, it has been argued with vehemence by learned counsel for the petitioners

that both the courts below have gone beyond the pleadings while awarding the maintenance allowance to respondent i.e. father of the petitioners. Respondent has disowned the petitioners from the ancestral property and subsequent thereto, at the instance of their another brother Jagdish Kumar, a petition under Section 125 Cr.P.C. has been got moved from the respondent. The filing of petition under Section 125 Cr.P.C. is just to settle the personal scores.

Moreover, with the intervention of respectables of the locality, a compromise has been arrived at in between the parties, which has also been reduced into writing. Even, terms and conditions have not been honoured by respondent. The said fact has also not been taken into consideration by learned revisional court while dismissing the revision petition preferred by petitioners. Thus, impugned orders are not sustainable in the eyes of law and are liable to be set aside.

This Court has given an anxious thought to the submissions made by learned counsel for the parties and have scrutinized the impugned orders.

Undeniably, respondent is none else but the natural father of the petitioners, who is aged about 83 years. He has been made to knock the doors of the Court seeking maintenance, who has claimed himself to be having no source of maintenance. A meagre amount of ₹4,000/- has been allowed, that too, to be paid by his four sons i.e. petitioners equally. Even that amount is not being paid. Rather, the same has been challenged through this petition. The non-payment of a meagre amount of ₹1000/- each as maintenance allowance by the four sons to their old aged father is suggestive of the fact that they have no love and affection for him at this old age. A compromise if any has nothing to do with the payment of maintenance allowance. Rather for this petty amount he

is being dragged in this Court by way of filing the instant petition. Such persons do not deserve any leniency. Hence, the instant petition is dismissed.

MAY 16, 2016
sham

(JASPAL SINGH)
JUDGE