

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA No. 2515 of 2016 (O&M)
Date of Decision: 23.12.2016

Nitin Kumar Sardana

.....Appellant

Versus

State of Haryana & Others

.....Respondents

**CORAM: HON'BLE MR. JUSTICE T.P.S. MANN
HON'BLE MR. JUSTICE H.S. MADAAN**

Present: Ms. Savita Bhandari, Advocate, for the appellant.

T.P.S. Mann, J (Oral).

This appeal has been filed by Nitin Kumar Sardana under Clause X of the Letters Patent against the order dated 28.11.2016 passed by the learned Single Judge, whereby the writ petition filed by him seeking release of his mother Prem Lata Sardana from the illegal custody of his father Ashok Kumar Sardana, stood dismissed.

According to the appellant, his mother Prem Lata Sardana, was not being looked after by his father Ashok Kumar Sardana, so much so that even necessary medical treatment was not being provided to her.

From a perusal of the impugned order passed by the learned Single Judge, it is made out that pursuant to the directions issued on 21.11.2016, Prem Lata Sardana was produced by her husband Ashok Kumar Sardana. At that time, she did not appear to be not well oriented and was found to be getting appropriate

medical treatment. For that reason, the learned Single Judge, declined to grant any indulgence in the writ petition preferred by the appellant and while dismissing the same, imposed costs of Rs.5 lakh to be deposited by the appellant in the bank account of his father Ashok Kumar Sardana, who was looking after his mother Prem Lata Sardana.

In view of the above, no case is made out for any interference in the impugned order passed by the learned Single Judge. However, the costs imposed are on the higher side and need to be reduced. Further, he can be granted more time for depositing the same.

Resultantly, the impugned order passed by the learned Single Judge, is upheld. However, the costs of Rs.5 lakh imposed upon the appellant is reduced to Rs.3 lakh which shall be deposited by him in the bank account of his father Ashok Kumar Sardana on or before 12.01.2017.

The appeal is disposed of, accordingly.

(T.P.S. MANN)
JUDGE

(H.S. MADAAN)
JUDGE

23.12.2016
ds

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No