

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

278

CR-1718 of 2016 (O&M)

Date of Decision:30.08.2017

Jarnail Singh

.....Petitioner

Versus

Harsharan Kaur and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAMESHWAR SINGH MALIK.

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

**Mr.J.K.Singla, Advocate,
for the respondents.**

RAMESHWAR SINGH MALIK, J.(Oral)

Instant wholly unwarranted litigation initiated, at the hands of the petitioner, by way of this civil revision petition, filed under Article 227 of the Constitution of India, is directed against the order dated 17.11.2015 (Annexure P-5) passed by the learned trial court, whereby respondent No.1-daughter-in-law of the petitioner was declared pauper and permitted to proceed with the suit as pauper.

Notice of motion was issued.

Heard learned counsel for the parties.

A bare perusal of the impugned order passed by the learned trial court would show that it was based on an appropriate report received from the Collector. Correctness of the report of the Collector has not been

disputed by the petitioner even before this Court. Further, no prejudice of any kind, whatsoever, has been caused to the petitioner nor any such prejudice has been shown to have been caused by learned counsel for the petitioner, so as to enable this Court to interfere in the impugned order. Having said that, this Court feels no hesitation to conclude that the learned trial court committed no error of law, while passing the impugned order and the same deserves to be upheld.

Learned counsel for the petitioner himself has fairly stated that respondent No.1 has inherited about 1 kanal of land after the death of her husband. On the other hand, learned counsel for the respondents submits that the land was not inherited by respondent No.1 alone but by three persons. Be that as it may, this small piece of land would hardly be sufficient for sustaining respondent No.1 along with her minor son. In this view of the matter, no fault can be found with the impugned order passed by the learned trial court and the same deserves to be upheld, for this reason also.

During the course of hearing, learned counsel for the petitioner could not point out any patent illegality or perversity in the impugned order passed by the learned trial court. The impugned order has been found based on sound reasons and the same deserves to be upheld, for this reason as well.

No other argument was raised.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned, this Court is of the considered view that the present revision petition is misconceived, bereft of merit and without any substance, thus, it must fail. No case for interference

has been made out.

Resultantly, with the above-said observations made, instant revision petition stands dismissed, however, with no order as to costs.

August 30, 2017
seema

(RAMESHWAR SINGH MALIK)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No