

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-4812-2017

Date of Decision:- 26.07.2017

Punjab Agro Industries Corporation

.....Petitioner

Versus

Mehal Singh

.....Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Anupam Singla, Advocate, for the petitioner.

RITU BAHRI, J. (Oral)

Present revision petition under Article 227 of the Constitution of India for setting aside the order dated 21.02.2017 (Annexure P-1), passed by learned Additional District Judge, Ferozepur, whereby an application, filed by respondent, under Order 44 Rule 1 for permission to file appeal as an indigent person has been allowed.

Relevant facts of the case are that the respondent-defendant has filed an appeal against the judgment dated 31.01.2015, passed by learned Additional Civil Judge (Sr. Division), Ferozepur whereby a decree for recovery of ₹1,07,42,964/- has been passed against him with interest and costs. Along-with the said appeal, he (respondent) has also filed an application under Order 44 Rule 1 CPC for permission to file appeal as indigent person.

Perusal of the record shows that an application has been filed by respondent for permission to file appeal as indigent person as he has no source of income. The said application has been allowed by the first Appellate Court, vide impugned order dated 21.02.2017 by observing that as per report bearing No.2015/245 dated 09.04.2015 of Collector Ferozepur, the respondent-defendant is owner of 2 marlas of land in village Nizam Wala and the said land is “ruri”. He has no income thereof and to pay the Court fee of ₹1,07,216/-, he is not supposed to sell his house.

After hearing the learned counsel for the petitioner, going through the record, this Court is of the view that the application has rightly been allowed by learned Additional District Judge, Ferozepur, vide impugned order dated 21.02.2017 and does not call for any interference. No ground is made out to interfere in the impugned order.

Dismissed.

July 26, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No