

**HIGH COURT FOR THE STATES OF PUNJAB & HARYANA AT
CHANDIGARH**

CR No.6863 of 2016

Date of decision:17.7.2017

Harbhajan Kaur

...Petitioner

Versus

Hardev Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Kuldip Sanwal, Advocate for the petitioner.
None for the respondents.

RAMESHWAR SINGH MALIK, J. (Oral)

The present revision petition, at the hands of defendant, filed under Article 227 of the Constitution of India is directed against the impugned order dated 19.8.2016 (Annexure P-4), whereby the learned trial court framed one additional issue.

Notice of motion was issued.

Service on the respondents had been effected, but no one has come present on behalf of the respondents. In fact, the learned counsel for respondent No.2 put appearance on 12.1.2017 and thereafter he stopped appearing.

Heard learned counsel for the petitioner.

A bare combined reading of both the issues framed at an earlier point of time referred in Annexure P-2 at page 13 of the paper-book and the additional issue framed now in para 2 at page 3 of the paper-book would make it crystal clear that both issues were not exactly the same. Further, the findings recorded by the learned court of competent jurisdiction in its earlier

judgment dated 14.9.2015 (Annexure P-2) also recognised some family arrangement. In this view of the matter, it would be in the interest of both the parties that appropriate evidence is brought on record on the additional issue framed by the learned trial court so as to facilitate the learned trial court to arrive at a judicious conclusion with a view to do substantial justice between the parties.

During the course of hearing, learned counsel for the petitioner could not point out any patent illegality or perversity in the impugned order, which may warrant interference, at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India. The impugned order is supported by sound reasons, because of which no fault can be found with it 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 instant civil revision petition is wholly 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, the present civil revision petition stands dismissed, however, with no order as to costs.

17.7.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

Whether Speaking/reasoned : Yes/No
Whether Reportable : Yes/No