

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

120

CR No.7000 of 2016 (O & M)
Date of Decision:12.12.2017

Gurdev Kaur

...Petitioner

Versus

Simerjit Kaur Gill

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jagbir Singh Brar, Advocate
for the petitioner.

Mr. Hitesh Pandit, Advocate
for the respondent.

ANIL KSHETARPAL, J.(Oral)

Petitioner is mother-in-law of the plaintiff. Petitioner has been added as a party defendant in a suit filed by the plaintiff-daughter-in-law.

Learned trial Court has found that during the pendency of the suit, husband of the plaintiff had transferred property in favour of his mother-petitioner herein. That is how the learned trial Court ordered that the petitioner be added as a defendant in the suit.

Learned counsel for the petitioner has submitted that right of maintenance is a dispute between wife and the husband. Mother-in-law has nothing has to do with the same.

I have considered the submission. However, I am unable to agree with the same. Wife has a prior right of maintenance and such right is a charge on the property of the husband. During the pendency of the suit, the property has been transferred in the favour of the petitioner, mother-in-

law. In such a situation mother-in-law is necessary and proper party to the litigation. Hence, this Court does not find any good ground to interfere with the order by which the petitioner has only been added as a defendant.

Revision petition is dismissed.

12.12.2017
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(ANIL KSHETARPAL)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No