

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

**CR No.7269 of 2016
Date of decision:27.3.2017**

Satwinder Singh

...Petitioner

Versus

Ramanjot Kaur and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK

Present: Mr.Ankit Joshi, Advocate for the petitioner.

RAMESHWAR SINGH MALIK, J. (Oral)

Present revision petition, at the hands of defendant No.2, is directed against the order dated 19.7.2016 passed by the learned trial Court, dismissing the application of the petitioner under Section 16 read with Section 151 of the Code of Civil Procedure.

Heard learned counsel for the petitioner.

A bare perusal of the impugned order would show that the learned trial Court has proceeded on a factually correct and legally justified approach, while passing the impugned order. No fault can be found with the impugned order, as the same is duly supported by sound reasons. Having said that, this Court feels no hesitation to conclude that the trial Court was well within its jurisdiction, to pass the impugned order and the same deserves to be upheld.

It is a matter of record that plaintiffs-respondents No.1 and 2 have filed the suit as indigent persons and only for grant of maintenance. It is also not in dispute that minor plaintiffs are daughter and son of defendant No.1 who is none-else than real brother of the petitioner-defendant No.2.

This Court is *prima facie* of the view that defendants including the present

petitioner want to defeat the right of maintenance of the plaintiffs proceeding on one or the other technicality. The learned trial Court has committed no error of law, while passing the impugned order 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, which may warrant interference, at the hands of this Court, while exercising its revisional jurisdiction under Article 227 of the Constitution of India.

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 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 instant civil revision petition stands dismissed, however, with no order as to costs.

27.3.2017
mks

(RAMESHWAR SINGH MALIK)
JUDGE

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