

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

247

CRM-M-33395 of 2014

Date of Decision:17.01.2017

Sarabjit Kaur and another

.....Petitioners

Versus

Balbir Singh

.....Respondent

CORAM: HON'BLE MS.JUSTICE RITU BAHRI.

Present: Mr.M.S.Kang, Advocate,
for the petitioners.

Mr.Munish Gupta, Advocate,
for the respondent.

RITU BAHRI, J.(Oral)

The petitioners have preferred the present petition against the impugned order dated 05.08.2014 (Annexure P-4) passed by the Additional District Judge, Hoshiarpur, whereby the revision petition filed by the respondent against the order dated 24.09.2013 (Annexure P-2) passed by the Judicial Magistrate 1st Class, Dasuya, was allowed and the application for maintenance filed by the petitioners was dismissed.

A perusal of this order shows that the revisional Court had taken into consideration the document placed on record by the respondent, Ex.DW2/A, which has been duly proved by witness DW4-Surinder Kaur from the office of Child & Social Welfare. The record of the trial Courts has been summoned and a perusal thereof shows that Ex.DW2/A is an application, which was made by petitioner No.1. The application was made in view of the policy for women below 60 years of age, who are widows and

needy women for the purpose of obtaining pension. In this application, she

has shown herself that she is 35 years of age and stated that her husband is alive but she has been divorced. A copy of the divorce has been annexed with this application as Ex.DW4/A, in which it has been so stated that her marriage was solemnized in the year, 1988. This document has been duly verified by DW4, who had come from the office of Child & Social Welfare. A sum of ₹250/- was awarded towards pension to Sarabjit Kaur. Once, the decree of divorce was granted by Talaknama and the same has been made the basis for getting this pension, the petitioner stake is turned down. The original Razinama has been placed on record as AW1/B and the signatures on this compromise have been admitted by petitioner No.1 in her cross-examination as observed in para 17 of the impugned order. As per this document, ₹60,000/- had been accepted by her at the time of Talaknama and the custody of daughter was taken by her. Her daughter Manpreet Kaur is more than 25 years of age, so, she has no right to claim maintenance from the father. Therefore, the revision petition filed by the respondent has been rightly allowed by the revisional Court.

Dismissed.

January 17, 2017
seema

(RITU BAHRI)
JUDGE

Whether speaking/reasoned:	Yes
Whether Reportable:	No