

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CWP No. 16722 of 2017

Date of decision : July 31, 2017

Atma Singh

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN

Present:- Mr. S. S. Siao , Advocate
for the petitioner.

RAKESH KUMAR JAIN, J (oral).

This petition is filed in order to challenge the order of the appellate tribunal dated 30.5.2017 by which the maintenance fixed by the tribunal on 14.3.2016 @ of Rs. 5,000/- per month has been enhanced to Rs. 6,000/- per month.

Counsel for the petitioner has submitted that the petitioner is the only son of respondent No.4 who has distributed his immovable property to his daughters and disowned him in the year 2011. It is submitted that the petitioner is not liable to pay any kind of maintenance.

During the course of hearing, counsel for the petitioner was asked as to whether the petitioner had challenged the order of the tribunal dated 14.3.2016. In reply, counsel for the petitioner enquired from the petitioner's power of attorney Rajdeep Singh about this fact in court and replied that the order dated 14.3.2016 passed by the Sub Divisional, Barnala was actually challenged in appeal but the said appeal was dismissed by the appellate tribunal. However, the petitioner has very conveniently

petition. Otherwise, without challenging the said order by which his appeal has been dismissed, the present petition would not have been maintainable.

Be that as it may, since the order of the tribunal dated 14.3.2016, upheld in appeal, has not been challenged by the petitioner anywhere, therefore, the order of the appellate tribunal by which the maintenance has been slightly increased from Rs. 5,000/- to Rs. 6,000/- does not call for any interference.

The writ petition is dismissed.

(RAKESH KUMAR JAIN)
JUDGE

July 31, 2017
archana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No