

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

CWP No. 27279 of 2017

Date of Decision: November 30, 2017.

Balbir Singh

....Petitioner

Versus

The Appellate Tribunal and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Bhag Singh, Advocate
for the petitioner.

Rajan Gupta, J (Oral)

Petitioner has impugned the order dated 6.9.2017 passed by District Magistrate, Patiala whereby he has remanded the issue to Sub Divisional Magistrate for decision afresh after affording opportunity of hearing to respondent No.3.

Learned counsel for the petitioner has interlia contended that appeal was filed at the instance of daughter in law which was not maintainable. This contention is not tenable in view of judgment reported as **Paramjit Saroya Vs. Union of India, AIR 2014 (Pb.) 121.**

Besides, the matter has only been remanded to Maintenance Tribunal as the Appellate authority felt that proper service had not been effected on respondent No.3. There is no ground to interfere in writ jurisdiction. It is, however, directed that the Maintenance Tribunal shall endeavour to decide the matter at the earliest in any case not later than 4 months.

Disposed of.

(Rajan Gupta)
Judge

November 30, 2017.

BB

Whether speaking/reasoned Yes/No
Whether reportable: Yes/No