

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R.No.6871 of 2015 (O&M)
Date of Decision: May 25, 2018

Paramjit Kaur & another

...Petitioners

Versus

Piara Singh

...Respondent

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr.Sharad Aggarwal, Advocate,
for the petitioner.

Mr.Saurabh Arora, Advocate,
for the respondent.

AMIT RAWAL, J.

The present revision, which is directed against the judgment and decree dated 30.4.2015 (Annexure P-2) rendered by the Lower Appellate Court decreeing the suit for recovery of ₹20,000/- containing element of interest as well, is not maintainable, for, a person cannot avail statutory remedy, which is emphatically barred as per the amended provisions of Section 102 of CPC. The same reads thus:-

“No second appeal in certain cases.-No second appeal shall lie from any decree, when the subject matter of the original suit is for recovery of money not exceeding twenty-five thousand rupees.”

It is settled law that where there is no remedy, the person cannot be permitted to invoke the supervisory powers under Article 227 of the Constitution of India. Revision thus, in my view, is not maintainable and hereby dismissed.

May 25, 2018
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable:

Yes/No