

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Civil Revision No.1520 of 2017
Date of Decision: January 24, 2019

Mohan Singh

...Petitioner

Versus

Government of India & others

...Respondents

CORAM: HON'BLE MR.JUSTICE AMIT RAWAL

Present: Mr. Mohan Singla, Advocate,
for the petitioner.

Mr. Alankar Narula, Advocate,
for respondent No.1.

Mr. Sandeep Mann, AAG, Punjab,
for respondent Nos.2 to 4.

AMIT RAWAL, J. (Oral)

The present revision petition is directed against the impugned orders dated 01.02.2013 (Annexure P-1) and 20.07.2016 (Annexure P-2), whereby the application filed by the petitioner under Order 33 Rule 1 CPC declaring him to pursue the suit as an indigent person, has been declined.

Mr. Mohan Singla, learned counsel for the petitioner submitted that the petitioner owns a house in which his two sons along with their families are residing as he is living in Gurudwara Sahib and donated the entire savings. The land measuring 31 kanals as stated in the evidence is subject matter of litigation and, thus, could not have been taken into consideration for rejecting the application.

Mr. Alankar Narula, learned counsel appearing on behalf of

respondent 1 supported the impugned orders by stating that no evidence has been placed on record to give explanation with regard to non-incurring of income from 31 kanals of land situated in Village Dhotian. It is not believable that a person who is claiming compensation and damages to the tune of ₹ 1.5 crores and having land of 31 kanals can be permitted to pursue the suit as an indigent person.

For the reasons stated above, no ground for interference in the impugned orders is made out. The same cannot be said to be without jurisdiction. Resultantly, the revision petition is dismissed.

January 24, 2019
ramesh

(AMIT RAWAL)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No