

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

CR-3167-2019 (O&M)
Date of decision: 14.05.2019

Som Nath

...Petitioner

Versus

Annu Bhalla @ Anita and others

...Respondents

CORAM: HON'BLE MR.JUSTICE H.S. MADAAN

Present: Mr. Arun Sharma, Advocate
for the petitioner.

H.S. MADAAN, J. (Oral)

This revision petition is directed against order dated 05.01.2019, passed by Civil Judge (Jr. Divn.) Karnal, vide which, an application moved by the revisionist/respondent for issuing directions to CMO, Kalpana Chawla, Govt. Medical College Hospital, Karnal to constitute the Board of Doctors to give opinion regarding mental condition of applicant Nos.4 & 5 has been dismissed.

I have gone through the impugned order, which is quite detailed and well reasoned. The trial Court has rejected the contention of revisionist/respondent that applicant No.4 Madan and applicant No.5 Murari are mentally infirm and were unable to watch their interest. Referring to various documents placed on record by counsel for those applicants, showing that a compromise deed had been filed before the Court and statement of parties had been recorded there and if any mental

infirmity or incapacity was there in applicants Madan and Murari, the same would have been noticed by the Presiding Officer of the Court concerned and even, otherwise, respondent Som Nath had not raised any plea in that regard in the suit filed by him against applicants Madan and Murari etc., and even, during the proceedings which culminated in passing of preliminary decree and there was nothing on record to suggest mental infirmity of applicants Madan and Murari.

I do not see any illegality or infirmity in the impugned order, much less apparent on the face of it, which might have called for interference by this Court while exercising revisional jurisdiction. There being no merit in the revision petition, the same stands dismissed.

14.05.2019
sumit.k

(H.S. MADAAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No