

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

Sr. No.101+139+202

**CM-8613-CWP-2021 in/and
CM-11454-CWP-2021 in/and
CWP-5928-2021 (O&M)
Date of decision : 20.08.2021**

Gurmeet Kaur

..... Petitioner

VERSUS

Union of India and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Munish Gulati, Advocate, for the applicant-petitioner
in CM-11454-CWP-2021.

Ms. Shweta Nahata, Advocate, for respondent-UOI.

Mr. Gurcharan Dass, Advocate, for the applicant
in CM-8613-CWP-2021.

SUDHIR MITTAL, J. (Oral)

CM-11454-CWP-2021

This application has been filed for placing on record reply to
CM-8614-CWP-2021.

Application is allowed and reply is taken on record.

CM-8614-CWP-2021

This application has been filed for impleading the applicant,
namely, Manpreet Kaur as respondent No.4.

Learned counsel for the applicant has submitted that Manpreet Kaur is legally wedded wife of Rahul @ Raj Mahi who has married the non-applicant/writ petitioner on 27.05.2018. Thus, marriage with the non-applicant/writ petitioner is void in law. Thus, order dated 20.07.2020 passed by the authorities impounding her passport is valid. The applicant has not been paid maintenance by Rahul @ Raj Mahi and execution is in progress and thus, the applicant is a proper party to the writ petition.

The application is opposed by the writ petitioner by submitting that divorce between the applicant and Rahul @ Raj Mahi was finalized vide order dated 22.01.2015 passed by a Court of competent jurisdiction in Australia. Thus, it is wrong to submit that the marriage of the non-applicant/petitioner is void.

From the arguments raised, it is evident that the applicant is interested in executing order of maintenance passed by the competent Court. She is thus, entitled to ensure that Rahul @ Raj Mahi does not escape to a foreign country. Thus, the applicant is at least a proper party to the writ petition.

Accordingly, the application is allowed and the applicant is impleaded as respondent No.4.

Amended memo of parties is taken on record.

CM-8613-CWP-2021

Application is allowed as prayed for.

Annexures R-4/1 to R-4/4 are taken on record.

CWP-5928-2021

Learned counsel for the petitioner submits that the writ petition has been rendered infructuous as the passport of the petitioner has been restored to her.

The writ petition is thus, disposed of as having been rendered infructuous. Respondent No.4 may challenge the order of restoration of passport, in accordance with law.

(SUDHIR MITTAL)
JUDGE

20.08.2021

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No