

2023:PHHC:083498

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

EFA-3-2017(O&M)

Date of decision: 03.07.2023

Rawal Singh

....Appellant

Versus

Sarabjit Kaur and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr. Malkeet Singh, Advocate for the appellant

Mr. Jatinder Kumar, Advocate for

Mr. Abhinav Gupta, Advocate for respondent no.1 to 3

ANIL KSHETARPAL, J (Oral)

1. The appellant herein is the father-in-law of respondent no.1 and grandfather of respondent no.2 and 3. The appellant's son is stated to have migrated to another country. On an application filed by respondent no.1 to 3 under Section 125 Cr.P.C, the court vide order dated 18.04.2015 directed Balkar Singh, the appellant's son to pay maintenance at the rate of Rs.3,000/- per month. In the execution petition, some property was attached. The appellant herein filed an objection petition, which has been dismissed by the Executing Court while observing that the appellant has failed to produce any record including electricity bill or ration card or any other document which may prove that the appellant is owner of the property. This revision petition has been filed to challenge the correctness of the order passed by the Family Court.

2. Heard the learned counsel representing the appellant.

Learned counsel representing the appellant contends that respondents

have not produced any material to prove that Balkar Singh, is the owner of the property, hence, the application should have been allowed.

3. This Court has been considered the submission. It is the appellant who has filed the objection petition claiming ownership. He in order to prove his objection has a burden on him to produce the material evidence. In the absence of the material to prove that the appellant is the owner, the order passed by the Executing Court dismissing the objection petition does not deserve interference. Hence, dismissed.

4. All the pending miscellaneous applications, if any, are also disposed of.

03.07.2023

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE