



212

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

CRR(F)-975-2025

Date of Decision: 09.03.2026

Gautam through Maternal Grand Mother Ram Kala ...Petitioner

Versus

Gopi Chand

...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Gulshan Nandwani, Advocate
for the petitioner.Mr. Sanjeev Kodan, Legal Aid Counsel
for the respondent.

ANOOP CHITKARA, J.

1. Seeking setting aside of impugned orders dated 19.05.2025 and 26.05.2025 passed by Additional Principal Judge, Family Court, Rewari whereby application under Section 421 CrPC/461 BNSS filed by petitioner was dismissed and his execution petition was wrongly disposed of, the petitioner has come up before this Court under Section 442 BNSS.

2. Legal aid counsel on behalf of the respondent submits that the order is well reasoned and does not call for any interference because opportunity has been duly given to the petitioner.

3. Counsel for the petitioner submits that it was observed by Principal Judge, Family Court, Rewari that respondent has no property, whereas he has already disposed of all his property.

4. An analysis of the above said discussion would lead to the outcome that even if respondent sold all the property, it is not a ground to challenge the impugned order.

5. Legal aid counsel submits that opportunity was properly given to the petitioner. Even otherwise, perusal of the order does not suffer from any illegality.

6. I have gone through the order and relevant portion of the order reads as follows:

“This Court has to proceed against movable and/or immovable



property of respondent for recovery of arrears of maintenance allowance. There is no property, in the knowledge of petitioner, which is exclusively owned by respondent. In absence of any such property, in the knowledge of petitioner, which is exclusively owned by respondent, this Court cannot proceed any further to satisfy judgment in question in accordance with law. Right to recover maintenance allowance, which has accrued in favour of petitioner, is a continuing right so petitioner is put at liberty to file fresh petition or get this petition restored as and when any property existing and owned by respondent comes to the knowledge of the petitioner. Execution petition accordingly stands disposed of with aforesaid liberty.”

7. Given above, no further order is required to be passed, as such the present petition is dismissed. Since the petitioner is a minor, no adverse inference shall be drawn against him by virtue of any order which has been passed. Legal aid counsel is entitled to his fee as per the rules. All pending applications, if any also stands disposed of.

(ANOOP CHITKARA)
JUDGE

09.03.2026
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.