



129 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR-4103-2024 (O&M)

Date of decision : 04.03.2025

Daya Ram

...Petitioner

Vs.

Lakshay Rana (Minor) and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Dinesh Babu Khurana, Advocate
for respondent No.1.

ANIL KSHETARPAL, J. (Oral)

1. On 24.07.2024, the following order was passed:-

"Parminder and Rajni got married in February, 2005 and out of this wedlock, Lakshay was born on 04.02.2006. Mother of Lakshay i.e. Rajni was murdered on 16.05.2010 by the father Parminder. Parminder went to jail and has since been convicted.

Son -Lakshay brought a suit seeking maintenance against grandfather - Daya Ram who is the present petitioner. The trial Court has passed the impugned order dated 31.05.2024, on an application for interim maintenance and without mentioning any amount to be paid as an interim maintenance, has given direction to the petitioner to maintain Lakshay as his father is confined in Jail and mother is already dead.

Learned counsel points out that present suit has been filed through maternal uncle Rinkal Singh. Earlier, minor Lakshay had filed similar suit through maternal grandfather Kanwar Pal Singh against Smt. Shiksha Devi i.e. the grandmother of Lakshay. As Shiksha Devi had expired, so present petitioner – Daya Ram was



also brought on record as one of the LRs. That suit was dismissed on 02.01.2018 by learned Civil Judge (Junior Division), Ambala. Lakshay then filed second suit against the present petitioner – Daya Ram in the Court at Dera Bassi, but the same was dismissed as withdrawn on 05.01.2019, after dismissal of the application for interim maintenance.

Learned counsel contends that by concealing the afore-said factums of the previous litigation, the present suit has been filed before the Court at Jagadhri, wherein the impugned order has been passed.

Notice of motion for 07.01.2025.

In the meantime, operation of the impugned order shall remain stayed."

2. Apart from other reasons, the trial Court while passing the impugned order has not assessed the amount of interim maintenance. The application has been allowed without assessing the amount of interim maintenance.

3. For this reason alone, the impugned order is set aside by requesting the trial Court to decide afresh after taking into consideration all aspects of the matter.

4. Hence, the revision petition is allowed.

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

04.03.2025

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**(ANIL KSHETARPAL)
JUDGE**

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