

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH****CWP No.6032-2017****Date of decision: 11.09.2025****Promila alias Paramjit Pal Kaur****.... Petitioner****Vs.****State of Punjab and others****.... Respondents****CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI**

Present: Mr. K.S. Godara, Advocate, for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. C.S. Jattana, Advocate, for respondent No.4.

KULDEEP TIWARI, J (Oral)

1. Through the instant writ petition, filed under Article 226/227 of the Constitution of India, challenge is thrown to the order dated 26.05.2014 (Annexure P-2), where through, petitioner, along with her sibling, has been directed to pay Rs.500/- each, as monthly maintenance to their father (respondent No.4). Hence, the daughter has approached this Court against her father, who is insisting for implementation of the order (supra).

2. In order to challenge the impugned order, learned counsel for the petitioner places reliance upon a statement suffered by respondent No.4, before the learned Maintenance Tribunal that a compromise has been effected, and a lump sum amount has been paid by the petitioner, and submits that, despite the said statement, learned District Magistrate-cum-Deputy Commissioner, Mansa (respondent No.2), allowed the appeal, thereby issuing the direction (supra).

3. The record of the instant petition, which is pending since 2016, has been perused by this Court.

4. It is a matter of record that earlier, respondent No.4 filed a petition (CWP-16240-2016), owing to indolent and lackadaisical approach of the authorities concerned in not executing the order of maintenance. Eventually, the said writ petition was disposed of, vide order dated 11.08.2016, and the relevant part thereof is extracted hereinafter:-



“Having heard the learned counsel for the petitioner and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, the instant writ petition is disposed of with a direction to District Magistrate-cum-Deputy Commissioner, Mansa respondent No.2, that if the petitioner approaches him by moving an appropriate representation within a period of three weeks from today, he shall consider and decide the same at an early date, by passing an appropriate order thereon, strictly in accordance with law, but in any case within a period of six weeks from the date of receipt of representation from the petitioner. It is expected from respondent No.2 that he will appreciate the difficulty being faced by the petitioner, who is a senior citizen of more than 70 years. Respondent No.2 shall also be at liberty to pass an interim order, if he deems it appropriate in the facts and circumstances of the case. With the above-said observations made and directions issued, the instant writ petition stands disposed of.

5. Thereafter, in view of the liberty granted by this Court, respondent No.4 filed an appeal before respondent No.2, who passed the order dated 14.12.2016, where through, a direction was issued upon the employer of the present petitioner to deduct the share of amount of maintenance from her salary and remit in favour of respondent No.4. This order is challenged before this Court

6. Learned counsel for respondent No.4 submits that, in fact, his statement was fraudulently procured by the petitioner, and no amount was paid to him. He further submits that considering the fact that after getting statement of respondent No.4 recorded, no amount has been paid to him, the direction (supra), was passed. Therefore, no interference is warranted in the well reasoned order passed by respondent No.2.

7. On the last date of hearing, respondent No.4 made a statement that in case the petitioner pay a lump sum amount of Rs.1,40,000/-, he would be satisfied and will not press the execution against her.

8. Today, learned counsel for the petitioner, after having instructions, submits that the petitioner is ready to deposit a sum of Rs.1,40,000/- in the account



of respondent No.4, within four weeks from the date of passing of this order, however, subject to the condition that respondent No.4 would not raise any further claim qua the petitioner.

9. The aforesaid condition is duly accepted by respondent No.4, and therefore, in view of the consensus, that have been arrived at between the parties, the instant petition is **disposed of**.

10. However, the petitioner shall deposit a lump sum amount of Rs.1,40,000/- in account of respondent No.4 within four weeks from today, and by doing so, respondent No.4 would not have any other claim, arising out of this dispute, against the petitioner. Further, respondent No.4 also would not harass the petitioner unnecessarily, in future.

(KULDEEP TIWARI)
JUDGE

11.09.2025
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No