

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 1701 of 2013

Date of Decision: 17.08.2015

Geetinder Garewal

... Petitioner(s)

Versus

Shubhinder Singh and Others

... Respondent(s)

CORAM: Hon'ble Ms. Justice Ritu Bahri.

Present: Mr. Vikas Behl, Senior Advocate
with Ms. Japneet Kaur, Advocate
for the petitioner(s).

None for respondents No.1 & 2.

Ms. Balpreet Kaur, Advocate
for respondents No.3 & 6.

None for respondent No.4.

Mr. K.V.S. Jawandah, Advocate
for respondent No.5.

Ritu Bahri, J.

1. The only dispute in the present case is that during the probate proceedings, initiated by the petitioner, an interim order was passed on 16.8.1999 (Annexure P5) that both the parties would not alienate any portion of the property in their possession, which was the subject matter of the probate proceedings.

2. During the probate proceedings, contempt proceedings were initiated under Order 39 Rule 2A CPC, which have been challenged in the present revision petition. There is no dispute between the parties that the probate application has been decided in favour of the petitioner

vide order (Annexure P12). Since the will in question has been executed in favour of the petitioner, the proceedings initiated under Order 39 Rule 2A CPC are quashed and the revision petition is allowed.

(Ritu Bahri)
Judge

August 17, 2015

"DK"