

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Civil Revision No. 2832 of 2014 (O&M)
Date of decision: 21.5.2015

Sukhjinder Kaur and another

.. Petitioners

v.

General Public and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL

Present: Mr. G. S. Brar, Advocate for the petitioners.

Mr. Malkit Singh, Advocate for respondent No. 2.

...

Rajesh Bindal J.

The petitioners, who filed application before the learned court below for issuance of succession certificate on account of death of Ravinder Singh, have filed the present petition challenging the order dated 19.3.2014, passed by the learned court below framing issues.

Learned counsel for the parties did not dispute the fact that Civil Suit No. 306 of 2012—Sukhjinder Kaur and another v. Gurbax Singh and others filed by the petitioners claiming joint possession of the family property, being widow and daughter of deceased-Ravinder Singh, was decreed by learned Civil Judge (Junior Division), Phillaur vide judgment and decree dated 22.12.2014 granting them 1/3rd share in the property. Learned counsel for the petitioners submitted that above development having taken place during the pendency of the present petition and the proceedings under Section 372 of the Indian Succession Act, 1925, being summary in nature, he will produce copy of the judgment of the Civil Court before the court below for passing appropriate order.

Learned counsel for respondent No. 2 did not dispute the fact that the suit filed by the petitioners granting them share in the family property has been decreed, however, he submitted that the aforesaid judgment and decree have been impugned by filing an appeal.

After hearing learned counsel for the parties, the present petition is disposed of giving liberty to the petitioners to produce copy of judgment and decree in Sukhjinder Kaur's case (supra) before the court below dealing with the issue of grant of succession certificate to enable the court to pass appropriate order. The parties shall be entitled to take appropriate steps in case the judgment of the Civil Court under appeal is reversed or modified.

The petition stands disposed of accordingly.

(Rajesh Bindal)
Judge

21.5.2015
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