

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

Civil Revision No.466 of 2014 (O&M)

Date of decision: 07.08.2015

Rupesh Singh and another

.... Petitioners

versus

Pitamber Singh and others

.... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Karanbir Singh, Advocate,
and Mr. Harhimmat Singh Bajwa, Advocate,
for the petitioners.

Mr. Deepak Sharma, Advocate,
for respondents 1 and 2.

Mr. Rajbir Wasu, Advocate,
for respondent No.3.

Mr.Davinder Kumar, Advocate,
for respondents 4 to 6.

1. Whether reporters of local papers may be allowed to see the judgment ? No.
2. To be referred to the reporters or not ? No.
3. Whether the judgment should be reported in the digest ? No.

K.Kannan, J. (Oral)

1. The petitioners are defendants 1 and 6, who has closed their evidence and sought for reopening the case for summoning the Registrar. The court declined it. The counsel says that the Will remains unproved and since the witnesses are also dead, the method of proving the Will shall be only by examining the Registrar. It is

still a moot point of whether such a proposition made by the counsel is correct but I will not comment on the same, lest he shall have an argument still to make to convince the Judge that even the examination of the Registrar will help him to prove the Will. The petitioner may not be knocked out of the proceedings for the so-called ignorance of the counsel who did not know how to prove the Will and allowed the side to be closed. For the sheer indiscretion in closing the evidence and compelling the other side of further delay in proceedings, I impose a cost of ₹10,000/- against the petitioner, set aside the order and direct the cost to be paid within 2 weeks from the date of receipt of copy of this order. If the amount is not paid, the order already passed will stand confirmed.

2. Civil revision stands disposed of on the above terms.

(K.KANNAN)
JUDGE

07.08.2015
sanjeev