

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

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**Civil Revision No.947 of 2005
Date of Decision:27.11.2015**

Amar Singhpetitioner

Versus

Raj Kumar Singh and othersrespondents

Civil Revision No.1902 of 2005

Amitabh Singhpetitioner

Versus

Raj Kumar Singh and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

- 1.Whether Reporters of local papers may be allowed to see the judgement?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

Present: Mr.Amit Jain, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

This order shall dispose of two revision petitions
i.e.Civil Revision No.947 and 1902 of 2005, arising out of a common
order.

Vide order being assailed, dated 04.10.2004, rendered
by Additional District Judge, Panchkula, applications moved by Raj
Kumar Singh and Mohan Singh i.e.respondents No.1 and 2, to be
impleaded as legal representatives of late Premwati and Raj Kumari
had since been accepted, whereas, the similar application moved by
the petitioners was dismissed. The conclusion arrived at by the

learned Additional District Judge, Panckhula, in this regard, reads as thus:

“As per perusal of copy of judgment Ex.A/1, passed by Hon'ble High Court in RFA No.3674 of 1992 controversy regarding LR of Premwati and Raj Kumari was decided and Raj Kumar Singh and Mohan Singh were brought on record as LRs and before deciding a enquiry was got conducted from Civil Judge (Senior Division) Ambala as per judgment Ex.A/2, wherein it was held that will in favour of Amar Singh, Amitabh Singh was held to be a forged document and not as a genuine and legal representatives of deceased Premwati would be Raj Kumar and Mohan Singh.

In view of the above documentary evidence on record for the purpose of proceedings further in the present reference Raj Kumar Singh, Mohan Singh are allowed to implead as legal representatives of deceased Premwati and Raj Kumari with just exceptions and other sets of applicants moved application for impleading LRs of deceased Premwati and Raj Kumari are liable to be dismissed in view of order of Hon'ble High Court Ex.A/1.”

Ex facie, the issue as to whether Raj Kumar Singh and Mohan Singh (respondents No.1 and 2) were the heirs of late Premwati and Raj Kumari, or the petitioners were the legal heirs of the deceased, was examined by Civil Judge (Senior Division), Ambala, vide judgment (Ex.A/2), in an inquiry conducted pursuant to the directions issued by this Court. Accordingly, it was concluded

that Raj Kumar Singh and Mohan Singh, were the legal representatives of the deceased. And the Will propounded by the petitioners was a forged document. That being so, learned Additional District Judge, Panchkula, impleaded Raj Kumar Singh and Mohan Singh as legal representatives of the deceased subject to just exceptions. And for the purpose of proceeding further in the matter. And the applications moved by the petitioners were rejected.

Learned counsel for the petitioners could not point out as to how the conclusion arrived at, was either contrary to the position on record or suffered from any material illegality.

That being so, no interference in exercise of revisional jurisdiction under Article 227 of the Constitution of India is warranted. The petition being devoid of merit is accordingly dismissed.

27.11.2015
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(ARUN PALLI)
JUDGE