

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

VARINDER SINGH
2015.08.06 10:22
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Punjab & Haryana High Court at
Chandigarh

RSA No. 1495 of 1989 (O&M)

Date of decision : 5.8.2015

Swaran Kaur (deceased)

.. Appellant

versus

Niranjan Singh and others

.. Respondents

Coram: Hon'ble Mr. Justice Rajesh Bindal

Present: None for the appellant.

Mr. Nitin Sarin, Advocate, for respondent nos. 1 to 3.

Rajesh Bindal, J.

In the present appeal, the suit was filed by respondent nos. 1 to 3/ plaintiffs against the appellant/ defendant and respondent nos. 4 to 10, claiming share in the property left by their predecessor Shiv Nand (deceased) on the plea that the property was joint Hindu Family.

Learned counsel for respondent nos.1 to 3 submitted that the appellant had expired on 21.6.1994. She was widow of Gurdev Singh son of Shiv Nand. Respondent no.1- Niranjan Singh is the other son of Shiv Nand. Shiv Nand had only two sons. Gurdev Singh husband of Swaran Kaur, pre-deceased her. After the death of Swaran Kaur, her entire property will devolve upon respondent nos. 1 to 3 being the only legal heirs. It was further submitted that the appellant died intestate. Hence, the claim made in the present appeal has been rendered infructuous.

After hearing learned counsel for respondent nos. 1 to 3, prima facie, nothing survives in the present appeal. Neither the LRs of sole appellant Swaran Kaur, who died on 21.6.1994, have been brought on record nor any one has appeared in court for the appellant.

The appeal is dismissed for non-prosecution.

5.8.2015

vs

(Rajesh Bindal)
Judge