

In the High Court of Punjab and Haryana at Chandigarh

**Regular First Appeal No. 2455 of 2011 (O&M)
Date of Decision: 18.3.2015.**

Ruli Ram

.....Appellant

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Babbar Bhan, Advocate for
Mr. Naveen S. Bhardwaj, Advocate
for the appellant.

Ms. Gaganpreet Kaur, AAG, Haryana.

Mr. Ajay Jain, Advocate
for respondents No. 2 to 5, 11 and 12.

None for respondents No. 6 to 10.

SABINA, J.

Appellant had sought reference under Section 30 of the Land Acquisition Act, 1894 ('Act' for short) for apportionment of the amount of compensation.

In the present case, dispute was with regard to compensation which was to be shared by the legal heirs of Dhoop Singh. Case of the appellant was that Dhoop Singh deceased was not the son of Nand Ram but was the son of Net Ram and he had forged and fabricated the Will dated 21.5.1999 and on the basis of the same, inheritance had been sanctioned in favour of Dhoop Singh qua 1/4th share of the suit land. The Reference Court dismissed the reference sought by the appellant. Respondents

No. 2 to 12 were held entitled to receive the share of compensation which had been awarded to Dhoop Singh. Hence, the present appeal by the appellant.

I have heard the learned counsel for the parties and have gone through the record available on the file carefully.

During the course of arguments, it has transpired that appellant had challenged the Will alleged to have been executed by Nand Ram in favour of Dhoop Singh. However, appellant had failed to establish that the Will executed by Nand Ram in favour of Dhoop Singh, was a forged and fabricated document. The Reference Court had held that respondents No. 2 to 12 were entitled to receive the share of compensation on the basis of Will executed by Nand Ram in favour of Dhoop Singh.

Since the Will in favour of Dhoop Singh has been upheld by the Civil Court, no ground for interference by this Court is made out.

Dismissed.

**(SABINA)
JUDGE**

March 18, 2015
Gurpreet