

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

FAO No.3338 of 2015

Date of Decision: May 13, 2015

Gursharan Singh Atwal

.... Appellant

vs.

Mandeep Kaur and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE KULDIP SINGH

Present: Mr. Harpal Singh Sirohi, Advocate for the appellant.

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

Kuldip Singh J.(Oral)

This is an appeal against the order dated 18.11.2014 passed by Addl. Civil Judge (Sr. Divn.), Shaheed Bhagat Singh Nagar on an application for grant of succession certificate.

At the time of filing of the present appeal, objection was raised by the Registry that the present appeal lies before the District Judge and not before the High Court.

However, learned counsel for the appellant insisted that the matter should be put up on judicial side. As per order dated 05.08.2011 passed by Hon'ble the Chief Justice, such appeals lie to the District Judge. Since the order was passed by learned Addl. Civil Judge (Sr. Divn.), Shaheed Bhagat Singh Nagar, therefore, the appeal lies to the District Judge.

Accordingly, the present appeal is returned to the appellant to file it before the proper court.

The present appeal is disposed of as such.

However, it shall always be open to the appellant to file appropriate application for condonation of delay under Section 5 of the Limitation Act, if permissible under the law.

May 13, 2015
sarita

(KULDIP SINGH)
JUDGE