

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

Regular Second Appeal No.4585 of 2014 (O&M)
Date of decision: 27.08.2015

Manoj Kumar

... Appellant

versus

Dharam Pal and others

... Respondents

CORAM: HON'BLE MR. JUSTICE K. KANNAN

Present: Mr. Zorawar Singh, Advocate,
for Mr.N.S. Shekhawat, Advocate,
for the appellant.

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)

CM No.10640-C of 2014

For the reasons stated in the application, delay in filing the appeal is condoned.

Application stands disposed of.

Regular Second Appeal No.4585 of 2014

In a suit for damages claiming compensation for death of Hari Dass under a Fatal Accident Act, the plaintiff claims heirship as the brother's son. It was brought out at the trial that the brother and sister of the deceased were also alive. It meant that the plaintiff

could not have been the nearer heir in the manner contemplated under Schedule I Class II of Section 8 of the Hindu Succession Act. The suit and the appeal have been dismissed and in my view, rightly so. The second appeal is dismissed.

(K.KANNAN)
JUDGE

27.08.2015
sanjeev