

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT
CHANDIGARH

C.R. No.1318 of 2016 (O&M)

Date of Decision.23.02.2016

Davinder Singh

.....Petitioner

Vs.

Pragat Singh and others

.....Respondents

Present: Mr. Amit Arora, Advocate
for the petitioner.

CORAM:HON'BLE MR. JUSTICE K. KANNAN

1. Whether Reporters of local papers 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?

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K. KANNAN J. (ORAL)

1. The defendant who is the petitioner has grievance that an additional issue which was requested for being framed was not being framed. The matter relates to the date of death of one Ujagar Singh under whom the plaintiff has made claim. The plaintiff's contention is that he has secured a bequest under Ujagar Singh and it has taken effect on his death on 27.05.2008. The plaintiff has also relied on death certificate for proof of the same.

2. The defendant's contention is that Ujagar Singh died as early as in the year 1956 and mutation of succession had been made soon after his death. The defendant has sought for issue to be framed with reference to the date of death of Ujagar Singh. I frame the following issue:-

“Whether Ujagar Singh died in the year 1956 as contended by the defendant? OPD”

3. Since the matter of framing issues is essentially a duty of the Court, I deem it necessary to frame the above issue dispensing with notice to the respondents and dispose of the revision petition with the above directions.

(K. KANNAN)
JUDGE

February 23, 2016
Pankaj*