

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

**CR No.1328 of 2016**

**Date of decision: 23.02.2016**

**Charanjeet Kaur deceased through LR Gursant Singh**

**..... Petitioner.**

**Versus**

**Smt. Baljinder Kaur and others**

**.....Respondents**

**CORAM : HON'BLE MR. JUSTICE DARSHAN SINGH**

Present: Mr.Satish Goel, Advocate  
for the petitioner.

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**DARSHAN SINGH, J. (Oral)**

The present civil revision has been preferred against the order dated 07.01.2016 passed by the learned Civil Judge (Jr. Division), Safidon whereby the application dated 17.08.2015 filed by the respondents no.1 and 2 for impleading them as legal heirs of sole defendant-Charanjeet Kaur(deceased) has been wrongly allowed.

2. Learned counsel for the petitioner contended that sole defendant-Charanjeet Kaur has died during the pendency of the suit. Respondents no.1 and 2 filed the application for impleading them as legal representatives of deceased-Charanjeet Kaur claiming themselves to be the legal heirs of

deceased-Charanjeet Kaur. Learned counsel for the petitioner contended that Charanjeet Kaur has left a valid registered Will dated 17.01.2014 in favour of petitioner, as such he was the sole legal heir of deceased-Charanjeet Kaur. But, the learned trial Court has wrongly allowed the application moved by respondents no.1 and 2 impleading the respondents also as the legal representatives of deceased-Charanjeet Kaur. He contended that the respondents have also given the false affidavit with respect to the total legal representatives of deceased-Charanjeet Kaur. Thus, he contended that the impugned order is illegal.

3. I have duly considered the aforesaid contentions.

4. The impugned order shows that the petitioner is claiming himself to be the sole legal heir of deceased-Charanjeet Kaur on the basis of the registered Will dated 17.01.2014. It is an admitted fact that the said Will is yet to be proved in accordance with law. In the application moved by respondents no.1 and 2, it was mentioned that deceased-Charanjeet Kaur has left behind Baljinder Kaur (respondent no.1), Neeru (respondent no.2), Gursant Singh (present petitioner), Manjeet Kaur (respondent no.3) and Kulvinder Kaur (respondent no.4) as her legal heirs. On the other hand, the petitioner is claiming himself to be the sole legal representative/heir of deceased-Charanjeet Kaur on the basis of the registered Will dated 17.01.2014. It has also been

contended that Narender Kaur and Rajwinder Kaur, the daughters of deceased-Charanjeet Kaur have not been disclosed in the application filed by respondents no.1 and 2.

5. There seems to be *inter se* dispute between the legal representatives of deceased-Charanjeet Kaur, as petitioner Gursant Singh is claiming himself to be the sole legal heir of deceased-Charanjeet Kaur on the basis of the Will dated 17.01.2014. The validity of the said Will is yet to be proved. The other legal heirs of deceased-Charanjeet Kaur are claiming to be impleaded as legal representatives of deceased-Charanjeet Kaur on the basis of natural succession. The purpose of impleading the legal representatives is only to represent the estate of the deceased-Charanjeet Kaur in the suit. The suit has been filed by Baljinder Kaur and another for seeking declaration that they are owner in possession of the suit land and mutation no.4357 and the order dated 26.11.2014 passed by the Collector, Safidon are illegal, wrong, null and void and not binding on the rights of the plaintiffs. So, in the suit, the Court is required to adjudicate upon the question regarding ownership of the land in dispute and the validity of mutation no. 4357 and the order dated 26.11.2014 passed by the Collector, Safidon. The *inter se* dispute between the legal representatives of deceased-Charanjeet Kaur is not the matter in issue in the suit. Thus, I do not find any illegality in the impugned order passed by the learned trial

Court impleading all the persons as legal representatives of deceased-Charanjeet Kaur.

6. Resultantly, the present revision petition having, no merits, is hereby dismissed.

**23.02.2016**

S.khan

**(DARSHAN SINGH)  
JUDGE**