

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

C.R. No.3816 of 2016

Date of Decision.30.05.2016

Kirpal Kaur (now deceased) through LR

.....Petitioner

Vs.

Jagir Singh and others

.....Respondents

Present: Mr. Ranjit S. Dhiman, 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 counsel for the petitioner is aggrieved at the dismissal of the prayer by the trial Court for direction to allow for thumb impression found in the Will to be proved through expert evidence. It is a case where the witnesses found in the Will were reported to be dead. The attempt to summon the son of one of the witnesses to speak about the signature failed. The counsel does not have details of the persons who could be acquainted with the signature of another witness for whom he has not taken steps so far. If such an application is moved, the Court will consider the same and appropriate process for examination to prove the Will in the manner contemplated under Section 69 of the Indian Evidence Act shall be done.

2. The petitioner's further grievance is that he should also have a liberty to give evidence that both the witnesses in the Will have already died. The petitioner is at liberty to bring proof of such death and then seek for permission. The Court will allow for permission if such proof is available.

3. The revision petition is disposed of with the above observations.

**(K. KANNAN)
JUDGE**

May 30, 2016

Pankaj*