

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

CR No. 5678 of 2015 (O&M)

Date of decision:05.02.2016

Sant Harnek Singh

... Petitioner

Vs.

Parminder Singh Dhillon and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Naveen Batra, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

The petitioner is aggrieved of the judgment and decree dated 27.04.2015 rendered by the Lower Appellate Court, whereby, the judgment and decree rendered by the trial Court dated 01.06.2009 granting certain reliefs in favour of respondent-plaintiff, has been set aside.

Mr. Naveen Batra, learned counsel for the petitioner submits that succession certificate is in respect of goods and amount of Rs.5,24,185/- is lying in account of 5187/21 in the name of late Sant Tirath Singh. It has been brought on record that petitioner has been appointed as Chela of the Gurudwara Karamsar Rara Sahib, District Ludhiana in the ceremony conducted in this regard but the lower Appellate Court has non-suited the petitioner on the premise

that it was a personal account of the Baba. Moreover, civil suit in this regard is pending adjudication.

I have heard learned counsel for the petitioner and appraised the paper book.

The succession certificate is sought under Section 372 of the Indian Succession Act with regard to personal account of Baba and in this regard, suit is also pending adjudication. Vis-a-vis personal account, the same cannot be said to be of Chela of Baba. Once the matter is already pending adjudication, he cannot seek amendment in the pending suit.

In view of the aforementioned observations, I do not find any illegality and perversity in the impugned order as prima facie personal account of Baba cannot be falling within the expression of succession vis-a-vis Gurudawara.

No ground for interference is made out. Accordingly, the order dated 27.04.2015, passed by the lower Appellate Court is affirmed. There is no merit in the revision.

Accordingly, the revision petition is dismissed.

(AMIT RAWAL)
JUDGE

February 05, 2016
savita