

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

C.R. No.6380 of 2015

Date of Decision.13.01.2016

Jagjit Singh

.....Petitioner

Vs.

Sukhjit Singh and another

.....Respondents

Present: Mr. Abhishek 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 suit is a challenge to the Will said to have been executed by the mother in favour of brother and sister. The mother has claimed the property as having been bequeathed to her by her husband who is the father of the petitioner. The plaintiff seems to have already filed a case claiming the estate of the father as heir and challenging the Will propounded by the mother. The suit has been dismissed holding the Will to be true. In the present suit, the plaintiff wants the Will which was filed by the mother to be brought to Court for examination by a forensic expert. Such an exercise cannot be permitted, for the adjudication has come to finality as regards the disposition by the father and the case has to only begin on an assumption that the property belonged to the mother and the trial will restrict itself only to the validity of the Will executed by the mother. The examination of the Will executed by the father is now irrelevant and it cannot be

permitted.

2. The order declining the permission to the plaintiff is perfectly justified and I find no reason for intervention. The revision petition is dismissed.

(K. KANNAN)
JUDGE

January 13, 2016
Pankaj*