

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

CWP-1460-2016

Date of decision:- 25.01.2016

Manu Rishi Guptha

...Petitioner

Versus

Union Territory, Chandigarh and others

...Respondents

CORAM: HON'BLE MR. JUSTICE S.J. VAZIFDAR, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Abhilaksh Grover, Advocate,
for the petitioner.

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S.J. VAZIFDAR, A.C.J. (ORAL)

The petitioner has sought an order directing the respondents to transfer the property in his name on the basis of an alleged registered Will made by his paternal grand-father.

2. Firstly, the petitioner ought to have impleaded his father in this petition and he ought to do so in any and every application that he makes relating to the estate of his grand-parents. This is for the reason that there are serious disputes between the petitioner and his father regarding the estate of the petitioner's grand-parents and the Wills. In fact, there were other Wills of the petitioner's grand-father which were the subject matter of probate proceedings in which the petitioner was unsuccessful right upto the Supreme Court. The petitioner's father, however, appears in person today. He seriously disputes the petitioner's entitlement to succeed to the estate even on the basis of the Will presently relied upon.

3. Mr. Grover, learned counsel appearing on behalf of the petitioner at this stage merely seeks an order directing the respondents to take a decision on his application. That the respondents must do. We, however, make it clear that the respondents are not bound to take a decision one way or the other to wit

they are not bound to either transfer the property or to decline the transfer. They would also be entitled in the facts and circumstances of this case to insist upon the parties having the dispute resolved in appropriate legal proceedings. The respondents are requested to take a decision in the matter as expeditiously as possible and preferably by 31.03.2016. The respondents shall before taking any decision hear all the parties concerned including the petitioner's father.

4. The writ petition is accordingly disposed of.

(S.J. VAZIFDAR)
ACTING CHIEF JUSTICE

(ARUN PALLI)
JUDGE

25.01.2016
Amodh