

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

C.M. Nos. 10881-82-83-CII of 2017 in/and

C.R. No. 2387 of 2013

Date of decision: 16.05.2017

Satya Rani

....Petitioner(s)

Versus

Mewa Singh

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Divanshu Jain, Advocate,
for the applicant-petitioner.

Mr. S.S. Swaitch, Advocate,
for Mr. J.S. Chowdhary, Advocate,
for the respondent.

G.S.SANDHAWALIA, J. (Oral)

C.M. No. 10881-CII of 2017

Application seeking exemption from filing certified copy of Death Certificate, Will and Jamabandi as Annexures A-1 to A-3 and for placing on record the same is allowed, subject to all just exceptions.

The same are taken on record.

C.M. No. 10882-CII of 2017

The present application has been filed for impleading the legal representative of the deceased-petitioner Satya Rani, who is stated to have died on 02.10.2016 and the death certificate is attached as Annexure A-1. The legal representatives have been mentioned in para no. 4 of the application. It is stated that in view of the Will (Annexure A-2), the right only flows to Bobby Khosla, the son of the deceased petitioner. The

property has also been mutated in favour of the said person and resultantly, the impleadment is sought of the said legal representative. The application is supported by affidavit of the son of the deceased-petitioner.

Notice in the application.

Mr. S.S. Swaitch, Advocate appears on behalf of Mr. J.S. Chowdhary, Advocate and accepts notice in the application.

In view of the above, the application is allowed.

Bobby Khosla, son of the deceased-petitioner is allowed to be brought on record as legal representative only for the purpose of pursuing the present revision petition. It is made clear that it will not entitle the applicant as such to stake the claim in other proceedings on the strength of this order.

Amended Memo of Parties is taken on record.

C.M. No. 10883-CII of 2017 and
C.R. No. 2387 of 2013

The present application has been filed for withdrawal of the present revision petition.

It has been averred that the present petition was filed on the ground of personal necessity of Satya Rani and in view of the fact that the applicant-legal representative namely Bobby Khosla has become the owner, he wishes to withdraw the present petition with liberty to file a fresh petition on the ground of own personal necessity.

In view of the above, the main case is taken on Board and is disposed of as having been rendered infructuous on account of the death of the landlady. It is open to the petitioner-legal representative to seek his redressal in accordance with law in his own rights. It will be open to the

tenant to oppose the petition and take necessary defences which are permissible in law. Application for withdrawal of the revision petition also stands allowed accordingly.

16.05.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No