

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CR No.8316 of 2014

Date of decision:- July 11, 2017

Jatinder Singh

...Appellant

Versus

Balbir Singh and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Ms.Sarika Gupta, Advocate, for the petitioner.

Mr.Dinesh Nagar, Advocate, for respondent No.1.

RITU BAHRI, J. (Oral)

The petitioner has come up in revision against the order dated 11.11.2014 (Annexure P-6) passed by the learned Civil Judge (Jr.Divn.) SBS Nagar, vide which application moved by the petitioner for deleting the issue No.9, was dismissed.

After hearing counsel for the parties, a perusal of the order dated 25.10.2013 (Annexure P-7) shows that application for impleadment of legal representatives of defendant No.1-Sucha Singh (since deceased) was allowed and as per reply of Jatinder Singh son of Lahmber Singh respondent/defendant No.29, he had shows that he was the sole legatee of deceased Sucha Singh vide registered Will dated 03.11.2008.

A perusal of the file shows that in the amended written statement of defendant No.1, Will dated 03.11.2008 was propounded by defendant No.1 and since it was applicant/defendant No.29 who was its beneficiary, it was incumbent upon him to prove the same. As such, the fact that Will was

not in issue does not find any merit. As such, the application qua deletion of

issue No.9 was right dismissed by the trial Court.

So in the light of the discussion, the orders of the Court below dore not reflect any material irregularity or perversity which warrant interference. Hence the present revision stands dismissed.

July 11, 2017
anil

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No