

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

Anuradha
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**RSA-4649-2015(O&M)
Decided on : 8.8.2017**

KIRANJIT KAUR

....APPELLANT

VS

GURMIT SINGH @ VENEET SINGH

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Raj Kumar Rana, Advocate
for the appellant.

AJAY TEWARI, J.(Oral)

This appeal has been filed against the concurrent orders/judgments dismissing the suit filed by the appellant. The appellant had challenged the Will made by her father in favour of the brother-respondent.

Both the Courts below found that the deceased had executed two Wills. The first one was made in 1998 and the second one in the year 2004. Both the Wills were in the favour of the respondent. The Courts below also noticed that at the time of executing of the first Will the appellant was unmarried and that is why the deceased had cast the responsibility of her marriage on the respondent. As regards second Will, the deceased had mentioned that he did not want to give anything to the appellant as he had spent enough money on her marriage. Both the Courts below noticed that both the Wills were registered. The Courts also relied upon the statement of the appellant which was suffered by her during the revenue proceedings where she had accepted that both the Wills were valid. Both the Courts below found that the anomalies pointed out by the appellant could not be really termed as suspicious circumstances as those were small contradictions which may occur during the execution of documents. Before me the only argument raised is that

the suspicious circumstances have not been fully explained. This is a pure issue of fact. Even the questions posed are pure questions of fact. On a reading of both the judgments, it cannot be said that the conclusions drawn by the Courts below are so palpably perverse or erroneous so as to justify interference in second appeal.

In this view of the matter, appeal stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stand disposed of.

8.8.2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No