

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

**CR No.3597 of 2017(O&M)
Date of Decision: 31.10.2018**

Rajdeep Kaur

.....Petitioner

Versus

Piara Singh and another

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Rajender Kumar, Advocate
for the petitioner.

Mr. M.S. Yadav, Advocate for
Mr. Sunny K. Singla, Advocate
for respondent No.2.

RAJ MOHAN SINGH, J.(Oral)

Learned counsel for the petitioner submits that connected CR No.5865 of 2016 filed by two of the LRs of deceased Jagdev Singh namely Rashpal Kaur and Gurinder Singh was disposed of by the Co-ordinate Bench vide order dated 10.10.2017 by passing the following order:-

“Counsel for the petitioners has submitted that the present petition may be disposed of but without

prejudice to right of the petitioners to claim exclusive right in the entire property left behind by deceased Jagdev Singh, in independent proceedings. He has further submitted that any observations made by the trial court in the impugned order should not be allowed to cause prejudice to right of the petitioners in civil suit, if any, filed qua inheritance to the estate of deceased Jagdev Singh.

Counsel for respondent No. 2 has got no objection.

In view of the above, the present petition is disposed of. However, any observations made by the Executing Court shall not cause prejudice to either of the parties to seek adjudication of their rights qua inheritance to the estate of deceased Jagdev Singh, in an independent suit.”

Present revision petition has been filed by third legal representative of deceased Jagdev Singh against the same impugned order dated 30.08.2016 passed by Additional Civil Judge (Senior Division), Malerkotla. Learned counsel for the petitioner prays that the present revision petition be disposed of in the same terms.

In view of order dated 10.10.2017 passed in CR No.5865 of 2016, this revision petition is also disposed of in the same terms. Liberty is granted to respondent No.2 to move appropriate application in case statement of facts made by learned counsel for the petitioner is found to be contrary to

record.

Disposed of.

October 31, 2018

Prince

(RAJ MOHAN SINGH)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No