

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

112

**FAO No. 1546 of 2018 (O&M)
Date of Decision : 22.3.2018**

Avtar Singh

...Appellant

vs.

Gurmeet Kaur and another

...Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Narender Pal Bhardwaj, Advocate
for the appellant.

AJAY TEWARI, J. (Oral)

CM-5961-CII-2018

This is an application for condonation of 116 days delay in filing the appeal.

For the reasons recorded in the application, the same is allowed and 116 days delay in filing the appeal is condoned.

CM-5962-CII-2018

This application under Order 1 Rule 10 read with Section 151 CPC for impleading applicant as appellant is allowed as prayed for, subject to all just exceptions.

Main Case

This appeal has been filed against the grant of succession certificate to the respondent.

Admitted facts of the case are that the deceased was the son of the appellant and the respondent who unfortunately passed away one and a

half years ago. The respondent filed the application for succession certificate which was granted, against which the appeal has been filed.

The ground taken in the appeal is that succession certificate was obtained by fraud. Learned counsel has however not in a position to deny that the appellant was a Class-II heir where the respondent was a Class-I heir of the deceased.

In the circumstances, the appellant does not have the locus standi to challenge the same. Consequently, the appeal stands dismissed.

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

22.3.2018
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No