

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

107

**RSA No.2566 of 2015 (O&M)
Date of decision: 21.05.2018**

Dalip

..... Appellant

Versus

Mohan Lal and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- None.

ANIL KSHETARPAL, J. (ORAL)

Called twice, counsel for the appellant has not chosen to appear. This appeal was filed in the year 2015. Learned counsel for the appellant has been seeking adjournments after adjournments without arguing the appeal. At one stage, learned counsel for the appellant pleaded no instructions. This Court issued the notice to the party. Thereafter, the same counsel once again started appearing in the case.

Plaintiff-appellant is in the regular second appeal against the concurrent finding of fact arrived at by the Courts below.

Plaintiff has in fact challenged a registered Will executed by Mangtu in favour of Mohan Lal. Both the Courts have found that the plaintiff is not one of the natural heirs of Mangtu whose estate is in dispute. Natural heirs of Mangtu have supported the case of the defendants and admitted execution of the Will. Both the Courts have further found that the plaintiff do not have any locus standi to file the suit.

In view thereof, there is no scope for interference with the concurrent finding of fact arrived at by the Courts below.

Appeal is dismissed.

21.05.2018

Dinesh Bansal

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No