

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

111

RSA-6245-2016 (O&M)  
Date of Decision : 24.7.2018

Manjit Kaur and another

....Appellants

vs.

S. Bhupinder Singh and another

....Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr.Balbir Singh Jaswal, Advocate  
for the appellants.

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AJAY TEWARI, J. (Oral)

This appeal has been filed against the concurrent judgments of the Courts below decreeing a suit filed by the respondents.

The admitted facts of the case are that two respondents are the two step sons of the appellant No.1. They filed a suit claiming that their father had executed a registered Will in their favour in respect of 23 Kanal and 10 Marlas land which he owned. In the plaint it had also been mentioned that he had property in village Bhillowal also which he had sold before the execution of the said Will and had built a house in village Mattewal and that property was given to the appellant No.1. In the written statement the appellants denied the execution of the Will but did not offer any denial to the averment that her husband had given her a house. With regard to the Will it was her case that there was no occasion for her husband

to execute a Will at the age of the 40 and that he was a drunkard and was not in his senses. The respondents examined the witnesses and the official from the office of Sub-Registrar to prove the Will. Both the Courts below having decreed the suit, the appellants are before this Court.

Learned counsel for the appellants has argued that there was no reason for the deceased to have excluded his wife and minor daughter and leave them without any support. In my considered opinion, once the appellants did not deny that her husband had sold some land in village Bhilowal and constructed a house in village Mattewal and gave it to her and further once it was stipulated in the Will that respondents would be responsible for the marriage of the daughter, no fault can be found with the judgments of the Courts below.

The appeal stands dismissed.

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

**24.7.2018**  
**anuradha**

**(AJAY TEWARI)**  
**JUDGE**

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No