

In the High Court of Punjab and Haryana at Chandigarh

RSA No. 929 of 2017(O&M)

Date of Decision: 29.8.2018

Daljit Kaur and others

---Appellants

versus

Ram Kaur and others

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

**Present: Mr. Avtar S. Khinda, Advocate
for the appellants**

Rekha Mittal, J.

The present appeal directs challenge against concurrent findings recorded by the courts whereby Will dated 19.5.2007 purported to be executed by Sh. Prem Singh in favour of the plaintiffs-appellants to the exclusion of mother of Prem Singh has been discarded by the courts with the findings that the Will is shrouded by suspicious circumstances and does not stand the test of judicial scrutiny.

The appellants have pleaded that Prem Singh executed Will dated 19.5.2007 in his sound disposing mind but said Prem Singh died on 25.5.2007. It has been proved on record that few days before his death, Prem Singh sustained serious injuries as he had fallen in a well and remained admitted in the hospital for treatment and ultimately succumbed to the injuries on 25.5.2007.

Counsel for the appellants is not in a position to point out that

consistent factual findings recorded by the courts discarding the Will dated 19.5.2007 suffer from misreading of evidence much less perversity, warranting intervention.

For the foregoing reasons, the appeal fails and is accordingly dismissed in limine. No order as to costs.

(Rekha Mittal)
Judge

29.8.2018

PARAMJIT

Whether speaking/reasoned : Yes

Whether reportable : Yes/No