

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

CR No.3494 of 2019

Date of Decision : 27.05.2019

Manoj Kumar

..... Petitioner

Versus

General Public and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Madan Sandhu, Advocate for
Mr. Kuldeep Sheoran, Advocate
for the petitioner.

SUDIP AHLUWALIA, J. (ORAL)

Notice of motion.

2. Mr. Pawan Kumar Jhanda, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondents. A copy of the revision petition be supplied to him.

3. This revision is directed against the impugned order dated 29.01.2019 (Annexure P-3) vide which the petitioner's application for issuance of Succession Certificate was dismissed, after his original petition under Section 372 of the Indian Succession Act, 1925, had already been allowed by a judgment dated 01.11.2018 passed by the Ld. Additional Civil Judge (Senior Division), Kosli.

4. The petitioner was, thereafter, given time for a month to deposit the requisite Stamp Papers and Indemnity Bonds. His application to seek extension of time in that regard was, however, moved in the Ld. Court Court beyond the time permitted. The Ld. Court below, therefore, dismissed his application.

5. Submission of Ld. Counsel for the petitioner is that he could not arrange the requisite Stamp Papers due to financial crisis and therefore, approached the Ld. Court for extension of time, after some delay.

6. No conceivable prejudice to anyone could have been caused by the delay, which was actually less than 02 months, since no private individual had been arraigned as a respondent in the original proceedings.

7. After hearing Ld. Counsel for the State, and in the interest of justice, the present revision petition is, therefore, allowed after setting aside the impugned order dated 29.01.2019 (Annexure P-3), subject to the condition that the petitioner shall positively deposit the requisite Stamp Papers and Indemnity Bonds, within next 21 working days from today.

(SUDIP AHLUWALIA)
JUDGE

May 27, 2019
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No