

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

FAO No. 6590 of 2010(O&M)

Date of decision: 28.1.2020

Neetu Malhotra

.....Appellant

VERSUS

Ajay Kumar Malhotra and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. Sanjiv Gupta, Advocate for the appellant.

REKHA MITTAL, J.

Challenge in the present appeal has been directed against order dated 12.08.2010 passed by Civil Judge (Senior Division), Patiala (exercising the powers of District Judge) whereby petition filed under Section 383 of the Indian Succession Act, 1925 for revocation of succession certificate issued in favour of Ajay Kumar Malhotra – respondent No.1 was dismissed.

Perusal of the impugned order would reveal that one of the issues framed by the Court below is on the question of limitation, reads thus:-

“Whether the petition is within limitation? OPP”

The said issue was answered against Baldev Krishan Malhotra (petitioner therein) now represented by his LRs including appellant Neetu Malhotra wife of Baldev Krishan Malhotra.

Counsel for the appellant has failed to advance any convincing arguments to assail findings of the Court on legal and factual aspects adjudicated upon on the basis whereof, the petition for revocation of succession certificate came to be dismissed.

Counsel for the appellant, in response to a query, would fairly inform that Will dated 14.02.1998 set up by Ajay Kumar Malhotra – respondent No.1 became subject matter of decision in civil suit and the same has been determined against Sh. Baldev Krishan Malhotra. In the given circumstances, there is no reason to interfere in the order impugned.

For the foregoing reasons, finding no merit, the appeal fails and is accordingly dismissed.

JANUARY 28, 2020

‘D. Gulati’

(REKHA MITTAL)

JUDGE

Whether speaking/reasoned :

yes/no

Whether reportable :

yes/no