

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

**RSA No.2619 of 2011 (O&M)
Date of Order:12.02.2020**

Jagsir Singh and another

..Appellants

Versus

Gurcharan Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.J.S.Bedi, Advocate,
for the appellants.

Mr. Divyadeep Walia, Advocate
for respondents No.1(a) and 1(b)

ANIL KSHETARPAL, J(Oral)

Defendants no.1 and 2 have filed the present regular second appeal against the concurrent findings of fact arrived at by the courts below decreeing suit for declaration that the plaintiff is entitled to share in the property left by their predecessors.

Defendants had propounded a registered Will dated 28.07.2000 to plead that the plaintiff was excluded from inheritance. The defendants only examined one attesting witness Bhagwan Singh, however he did not come forward to complete his cross-examination(deposition). The other attesting witness was not examined. Hence, both the courts have held that since the deposition of Bhagwan Singh is not complete, therefore, his evidence cannot be read in evidence.

Learned counsel for the appellants failed to draw attention of

the court to any error on account of misreading or non-reading of evidence.

Learned counsel also failed to draw attention of the court to any error of law.

In view thereof, there is no ground to interfere.

Dismissed.

February 12, 2020
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No