IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

224 RSA-6331-2014 (O&M)

Date of decision: 04.03.2020

SANTOSH DEVI @ SANTOSH ... Appellant

Versus

SONA DEVI AND ANR ... Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present : Mr. Gaurav Aggarwal, Advocate for the appellant.
Mr. SS Mor, Advocate for the respondents.
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REKHA MITTAL, J. (Oral)

Challenge in the present appeal has been directed against judgments and decrees passed by the Courts whereby the respondents/plaintiffs namely Smt. Sona Devi and Sahil son of Hanuman have been declared to be entitle to inherit property of deceased Hanuman in equal shares while upholding plea of the respondents/plaintiffs that Mrs. Santosh Devi widow of Hanuman shall not be entitle to a share as she has been indicted for murder of Hanuman.

Counsel for the appellant would fairly inform that since Smt. Santosh Devi has been convicted and sentenced for murder of Hanuman upto Hon'ble the Supreme Court, she cannot claim any right in property/estate left behind by deceased Hanuman. However, it has been argued that on behalf of minor Sahil, suit was instituted by his grandmother Sona Devi. In a petition titled 'Bahadur Singh VS. General Public Etc.' Bahadur Singh grandfather of Sahil was appointed as guardian of the person and property of Sahil vide order dated 18.05.2009 passed by the Civil Judge (Sr. Div.), Fatehabad. It is argued that in view of the said order, litigation on behalf of Sahil could be initiated by Bahadur Singh and not by Sona Devi. Counsel would inform that Santosh Devi wishes that share of Sahil is not wasted or mis-appropriated, therefore, directions may be issued to Smt. Sona Devi to look after the person and property of minor Sahil, properly.

Counsel for the respondents would argue that Bahadur Singh, grandfather of the minor has since passed away. He would further inform

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that at present, Sahil is being looked after by his grandmother Sona Devi.

Keeping in view the above, nothing survives for consideration of this Court with regard to challenge against the impugned judgments and decrees. However, Sona Devi is expected socially, morally and legally not to commit any act prejudicial to interest of minor Sahil who has lost his father and his mother being in custody is virtually rendered like an orphan.

04.03.2020 **(REKHA MITTAL)**
ashok **JUDGE**
Whether speaking/reasoned: Yes / No
Whether reportable: Yes / No

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