

In the High Court of Punjab and Haryana, at Chandigarh

Civil Revision No. 514 of 2022

Date of Decision: 05.05.2022

Anand and Others

... Petitioner(s)

Versus

Rajinder and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Navneet Singh, Advocate
for the petitioner(s).

Mr. Ashwani Gaur, Advocate
for the respondent No.1 and 3.

Anil Kshetarpal, J.

1. The petitioners' application to re-examine Om Parkash, the only alive attesting witness of the Will, has been dismissed by the trial Court. The petitioners were permitted to prove the Will by leading secondary evidence vide order dated 12.11.2021. Om Parkash was examined before 12.11.2021. In order to prove the Will, he is required to be examined as he is the only witness of the Will, who is alive.

2. In view of the above, the present revision petition is allowed. The order, under challenge, is set aside. Let the trial Court permit the petitioners to re-examine Om Parkash.

(Anil Kshetarpal)
Judge

May 05, 2022

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No