

**108-1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1.CR-2340-2017 (O&M)

Tannu @ Shikha

....Petitioner

Versus

Kulwant Kaur and others

..Respondents

2.CR-2347-2017 (O&M)

Tannu @ Shikha

....Petitioner

Versus

Kulwant Kaur and others

..Respondents

3.CR-3741-2017 (O&M)

Kulwant Kaur

....Petitioner

Versus

General Public and others

..Respondents

4.CR-3748-2017 (O&M)

Amandeep Singh

....Petitioner

Versus

Minor Tannu and others

..Respondents

Date of decision: 05.12.2022

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.K.B.Raheja, Advocate for the petitioner
CR-2340 and 2347 of 2017

Mr. C.M.Munjal, Advocate for petitioner
in CR3741 and 3748 of 2017

ANIL KSHETARPAL, J (Oral)

By this order, four civil revision petitions i.e CR-2340, 2347, 3741 and 3748 of 2017 shall stand disposed of.

These revision petitions are arising from the proceedings for the grant of succession certificate. The First Appellate Court has granted the succession certificate of the movable property of late Sh.Vasudev Aggarwal to the extent of 50% each, in favour of Smt. Kulwant Kaur and Ms. Tannu @ Shikha. Ms. Kulwant Kaur claims to be the widow of Sh. Vasudev Aggarwal whereas Ms. Tannu @ Shikha claims to be the daughter of Sh. Vasudev Aggarwal, from his previous marriage. It has come on record that during his lifetime, Sh. Vasudev Aggarwal contracted three marriages. From the first marriage with Smt. Suresh Lata, a daughter namely Liza was born. Subsequently, Smt. Suresh Lata got a decree of divorce and remarried with Sh.Girish Gupta, who subsequently, adopted Liza. Thus, the rights of Liza in the estate of Sh. Vasudev Aggarwal came to an end. Thereafter, Sh. Vasudev Aggarwal got married with Smt.Preenu Bala and Ms. Tannu @ Shikha was born. The marriage between Sh. Vasudev Aggarwal and Smt. Preenu Bala was also dissolved by a decree of divorce. Subsequently, Sh. Vasudev Aggarwal got married with Smt. Kulwant Kaur. The respondents dispute that fact. In order to prove that the marriage between Smt. Kulwant Kaur and Sh. Vasudev Aggarwal, two identity cards issued by Education Department in favour of Smt. Kulwant Kaur as wife of Sh. Vasudev Aggarwal and a loan certificate submitted to Bank for getting the loan, have been produced on record. The aforesaid

document corroborate her oral evidence. Both the courts have found that the evidence led to prove her marriage with late Sh. Vasudev Aggarwal is sufficient.

Learned counsel representing Ms. Tannu @ Shikha claims that these identity cards have not been proved in evidence. Admittedly, a civil suit filed by Ms. Tannu @ Shikha is pending. The proceedings for the issuance of succession certificate are summary in nature. The court has granted the succession certificate on the appreciation of evidence. Ultimately, the matter is required to be decided in a regular suit, which is already pending.

Keeping in view the aforesaid facts, the revision petitions are disposed of with liberty to Tannu @ Shikha to file an application before the court where the civil suit is pending.

All the pending miscellaneous applications, if any, are also disposed of.

05.12.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE