

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR-3118 of 2018(O&M)
Date of decision: 22.08.2022

Nahar Singh (deceased) through his LR

..Petitioner

Versus

Tarsem Singh and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Gaurav Chopra, Sr. Advocate, with
Ms. Seerat Saldi, Advocate
for the petitioner.

ANIL KSHETARPAL, J(Oral)

An application filed by the petitioner for being brought on record as legal representative of late Sh. Nahar Singh on the basis of a testamentary disposition executed by late Sh. Nahar Singh in his favour has been dismissed.

While deciding an application to bring on record the legal representatives under Order XXII CPC, the Court does not finally opine on the right to succeed the property left behind by the deceased. The legal representatives are brought on record only for the purpose of continuity of the proceedings in order to give an opportunity to the legal representatives to prosecute or defend the suit. Such decision is only for the purpose of bringing the legal representatives on record. For that purpose, the court is expected to be liberal.

In the present case, the proceedings for the preparation of final decree are pending. Sh Ravinder Singh son of late Sh. Nahar Singh has filed an application for being brought on record as legal representative.

Even in absence of Will, he is a Class-I heir.

Hence, the order under challenge is set aside. The petitioner is brought on record as legal representative of late Sh. Nahar Singh, to enable him to prosecute the suit subject to all the just exceptions.

The revision petition is allowed.

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

August 22, 2022

(ANIL KSHETARPAL)
JUDGE

nt

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