

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

CR-7475-2018 (O&M)

Date of decision: 08.08.2022

Santosh Rani
Versus

...Petitioner

Gansham Dass and others

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. J.K.Singla, Advocate for the petitioner
Mr. P.K.S.Phoolka, Advocate for respondent no.1

ANIL KSHETARPAL, J (Oral)

The trial court, in exercise of its discretion permitted the plaintiffs to cross-examine Ranjiv Kumar, the attesting witness of the registered Will executed by late Smt. Chinto Devi, in additional evidence. Learned counsel representing the plaintiffs were granted 28 opportunities but they failed to cross-examine Ranjiv Kumar.

The rules of procedure are enacted to advance the cause of justice and not to scuttle it. The attesting witness is required to be examined to fulfill the requirements of Section 68 of the Indian Evidence Act, 1872. The Will in question is a registered Will. The trial court has recorded cogent reasons for allowing the application, subject to payment of the costs. Hence, no ground to interfere is made out.

Dismissed.

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

08.08.2022

rekha

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

**(ANIL KSHETARPAL)
JUDGE**