

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

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**RSA-1932-2022(O&M)
Date of decision: 29.09.2022**

BALBIR SINGH

..Appellant

Versus

CHANDER DECEASED THROUGH LRS. AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Karan Singh, Advocate
for the appellant.

ANIL KSHETARPAL, J(Oral)

The question is “As to whether a mere nomination of immovable property is equivalent to a Will or transfer of the property?” Admittedly, Sh. Chajju Ram was allotted plot No.1 and 2 by a Cooperative Housing Society. The plaintiffs are claiming to be the widow and daughter of Sh. Chajju Ram, whereas, the defendants are other children of Sh. Chajju Ram. In the society, Sh. Chajju Ram nominated Sh. Balbir Singh and Sh. Ram Mehar as his nominees.

Though, the trial Court dismissed the suit, however, the First Appellate Court has decreed the suit after discussing that the nomination only authorizes the person to receive the property for the benefit of the heirs. Admittedly, Sh. Chajju Ram did not leave behind any testamentary disposition.

Keeping in view the aforesaid facts, no ground to interfere is made out.

Dismissed.

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

September 29th, 2022

**(ANIL KSHETARPAL)
JUDGE**

Ay

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No