

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

119(2)

**CR-3514-2021
Date of Order: 19.04.2022**

SUNIL KUMAR

..Petitioner

Versus

NAIB TEHSILDAR, GORIWALA AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.M. Pandey, Advocate,
Mr. Anuj Garg, Advocate for the petitioner.

Mr. Harsh Vardhan, AAG, Haryana
for respondent No.1 and 2.

Mr. Naresh Chander, Advocate
for respondent No.3 and 4.

Mr. Rakesh Gupta, Advocate
for respondent No.6 and 7.

ANIL KSHETARPAL, J(Oral)

This is an unfortunate litigation between the family members which is being dragged unnecessarily.

Some facts are required to be noticed.

Late Sh. Ram Karan was owner of 1474 kanals and 2 marlas land. He died in the year 1940. After his death, his son Sh. Sohan Lal and widow Smt. Dhapan became an owner of the property to the extent of equal share. Sh. Sohan Lal has four sons namely Sh. Sarwan, Sh. Angrej, Sh. Raja Ram and Sh. Bhoop Singh. On the death of Smt. Dhapan, widow of late Sh. Ram Karan on 28.03.1970, a Will was set up. The aforesaid Will was challenged by Smt. Sunder daughter of late Smt. Dhapan. The trial Court held that the Will is surrounded by suspicious circumstances therefore, the property held by late Smt. Dhapan will be inherited as per the natural succession. First appeal, second appeal and special leave petition before the Supreme Court was dismissed.

The execution petition is pending in the Court. The Executing Court has directed the revenue authority to enter mutation in accordance with the judgment passed by the Civil Court. The petitioner Sunil Kumar in Civil Revision No.3514 of 2021, claims that he inherited some share from the property of late Sh. Sohan Lal, his grand-father. His grievance is that under the garb of judgment and decree with respect to the half share of the total land, at one point of time owned by late Sh. Ram Karan. The entire property is being mutated in favour of the heirs of late Smt. Dhapan.

Per contra, the learned counsel representing the decree holder has submitted that the Civil Court has ordered the revenue authority to sanction mutation of the half share of 1474 kanals and 2 marlas of land which is equivalent to 737 kanals of land.

In view of the aforesaid stand taken by the learned counsel representing the decree holder, the grievance of the petitioner ceases to exist.

Ordered accordingly.

With all these observation, the revision petition is disposed of.

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

April 19th, 2022

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(ANIL KSHETARPAL)
JUDGE

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>