

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 8298 of 2017 (O&M)****Date of Decision: 11.12.2023**

Asha Rani alias Bhani

... Petitioner(s)

Versus

General Public and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. P.K.S.Phoolka, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

1. An application filed by the petitioner under Section 372 of the Indian Succession Act, 1925 (hereinafter referred to as “the 1925 Act”) for the grant of the succession certificate has been dismissed by both the Courts below. It has been held that the appellant claims to be the second wife of late Sh. Raju who died on 22.01.2007.

2. The proceeding for the grant of succession certificate is in the nature of a summary proceeding. Even after the final decision is given on the succession certificate, the parties are entitled to file a civil suit. In this case, the proceedings were initiated in the year 2007. The petitioner filed an application for leading the additional evidence before the First Appellate Court. It is alleged that the First Appellate Court has failed to decide the matter.

3. In the aforesaid facts of the case, this Court is of the opinion that the petitioner, if so advised, may avail the alternative remedy of filing a

suit. At this stage, it would not be appropriate to interfere in this matter.

4. With the observations made above, the present revision petition is disposed of.

5. The miscellaneous application(s) pending, if any, shall stand disposed of.

(Anil Kshetarpal)
Judge

December 11, 2023
“DK”

Whether speaking/reasoned :Yes/No

Whether reportable : Yes/No