

In the High Court of Punjab and Haryana, at Chandigarh**Civil Revision No. 3076 of 2022****Date of Decision: 07.12.2023**

Veenay Kashyap alias Viney Sharma and Another

... Petitioner(s)

Versus

General Public and Others

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.Present: Ms. Pallavi Babbar, Advocate
for the petitioner(s).Mr. Raman Deep, Advocate
for the respondent No.2 and 3.**Anil Kshetarpal, J.**

1. In the proceedings for the grant of succession certificate, an application under Order I Rule 10 of the Code of Civil Procedure, 1908 (hereinafter referred to as “CPC”) filed by the respondent No.2 and 3 for impleading them as defendants (respondents) has been allowed.

2. The respondent No.2 and 3 claim that they are the children of late Sh. Devi Dayal. The succession certificate has been applied by the petitioners claiming to be widow and two children of late Sh.Devi Dayal. The correctness of the aforesaid order has been challenged in this revision petition.

3. The learned counsel representing the petitioners contends that the respondent No.2 and 3 are not the children of late Sh. Devi Dayal, but are the children of Nishan Singh.

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respondent No.2 and 3 contends that the respondent No.2 and 3 have filed a petition under Section 125 Cr.P.C. for the grant of maintenance, which was *ex parte* decreed.

5. This Court has considered the submissions of the learned counsel representing the parties.

6. At this stage, the Court below has only impleaded the respondent No.2 and 3 as a party. Their competing claim shall be decided by the Court below after the evidence is led. At this stage, it would not be appropriate to decide the competing claims of the petitioners viz-a-viz the respondent No.2 and 3 without granting any opportunity to them to lead their respective evidence.

7. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned order. Hence, the present revision petition is dismissed.

(Anil Kshetarpal)
Judge

December 07, 2023

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No