

2024:PHHC:012114

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

132

CR-494-2024

Date of Decision: 30.01.2024

VIPIN OBEROI AND ANOTHER

... Petitioners

VERSUS

AMAN DEV DECEASED THROUGH LRS AND
OTHERS

....Respondents

CORAM: HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Vivek Salathia, Advocate
for the petitioners.

RITU TAGORE, J.(Oral)

1. Prayer in this revision petition is for setting aside order dated 05.01.2024 (Annexure P-1) passed by learned Civil Judge (Junior Division) Gurdaspur, vide which application under Order 14 Rule 5 CPC filed by the petitioners was disposed of.

2. Learned counsel for the petitioners submits that additional issue regarding Will dated 27.04.2017 has already been framed by learned lower Court. An application for casting of additional issue on Will dated 27.04.2017 being forged and fabricated document was moved by the petitioners-plaintiffs. However, in response to that defendants suffered a statement to have already relinquish their right in the Will and are not claiming their entitlement or any right under the Will, therefore, there is no need to frame the additional issue.

3. When this Court raised an inquiry that since additional issue regrading the Will has already been framed by the trial Court,

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5. However, the petitioners-plaintiffs are at liberty to move an appropriate aforesaid application if so desire.

Rimpal

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No