

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

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2024:PHHC:054840

CR-3899-2022

Date of decision: 23.04.2024

SATBIR SINGH

..Petitioner

Versus

RAM SINGH (DECEASED) THROUGH LRS & ORS. ..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Bhag Singh, Advocate
for the petitioner.

Mr. Tarun Dhingra, Advocate
for respondent No.3.

Mr. Rajender Kumar, Advocate
for Ms. Monika Chibber, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

1. The petitioner late Sh. Ram Singh in a petition filed under Section 39 of the Guardians and Wards Act, 1890, for removal of Sh. Satbir Singh-petitioner on the ground that he has acted against the interest of the minor. During the pendency of the petition, Sh. Ram Singh died. An application to bring on record natural heirs of late Sh. Ram Singh has been allowed.

2. The learned counsel representing the petitioner contends that right of late Sh. Ram Singh to file the petition was personal and hence, legal representatives cannot be impleaded.

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

4. It is evident that there is a dispute with regard to the misuse of the amount of the minor. The petitioner Sh. Satbir Singh as well as remaining legal representatives are children or grand-children of Sh. Ram

Singh. The minor Master Harsh Kumar is the natural son of the petitioner, whereas, he is alleged to have been adopted by Sh. Hankar Singh, who had died on 13.12.2013.

- 5. Keeping in view the aforesaid facts, the right to sue survives.
- 6. Hence, the application to bring on record the legal representatives has correctly been allowed.
- 7. Dismissed accordingly.
- 8. All the pending miscellaneous applications, if any, are also disposed of.

April 23rd, 2024 (ANIL KSHETARPAL)
Ay JUDGE

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