



117 **IN THE HIGH COURT OF PUNJAB AND HARYANA**
 AT CHANDIGARH
 CR-5489-2024
 Date of Decision: 20.09.2024
Gurbachan Singh (Since Deceased) through his L.Rs and another
 ...Petitioners
 Vs.
Kamal Nain Singh (since deceased) through his L.Rs and others
 ...Respondents

CORAM: HON’BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present Mr. Sushant Kareer, Advocate for the petitioners.

Sheel Nagu, CJ.(Oral)

1. The impugned order dated 16.05.2024 passed by the learned trial court is objected to on the limited ground that it observes thus:-
 “xx xx xx xx
 *Question of will is a matter of evidence and is not to be decided at this stage.*”
2. Learned counsel for the petitioners submits that the aforesaid observation of the trial court while passing the impugned order may prejudice the merits of the matter.
3. This Court after hearing the learned counsel for the petitioners is unable to fathom as to how this observation as mentioned by the trial court in the impugned order dated 16.05.2024 can prejudice any of the rival parties. It merely observes that the question of will is a matter of evidence which is to be decided at a later stage.
4. This Court seems no reason to interfere in the present petition.
5. Accordingly, the present petition stands dismissed.

(SHEEL NAGU)
CHIEF JUSTICE

September 20, 2024
archana

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