

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

226

CR No.5731 of 2023
Date of Decision : 05.01.2024

Surender Kumar DahiyaPetitioner

VERSUS

Rajesh Kumar and OthersRespondents

CORAM : HON’BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Ravinder Singh Randhawa, Advocate for the petitioner.
Mr. Anil Rathree, Advocate for respondent No.1.
Ms. Prerna Malhotra, Advocate for
Mr. Prateek Mahajan, Advocate for respondent No.4.

ALKA SARIN, J. (Oral)

1. The challenge in the present revision petition is to the order dated 21.08.2023 (Annexure P-1) allowing the application under Order XI Rule 14 of the Code of Civil Procedure, 1908 filed by the defendant-respondent No.1 herein.
2. Learned counsel for the petitioner would contend that the petitioner would have no objection to producing the original Will, however, till the evidence of the plaintiff-petitioner commences, the copy of the original Will be kept in a sealed cover.
3. Learned counsel for respondent No.1 states that the only grouse of respondent No.1 is that copy of the Will, which was served upon him with the summons, is different from the copy of the Will which has been appended with the judicial file.

4. In view of the very fair stand taken by learned counsel for the petitioner, the present petition is disposed off with a direction that the petitioner herein shall produce the original Will, which shall be perused by the Trial Court, and a copy of the same shall be supplied to respondent No.1. Thereafter, the original Will be put in a sealed cover and shall remain in a sealed cover till the time evidence of the plaintiff commences.

5. Disposed off. Pending applications, if any, also stand disposed off.

(ALKA SARIN)
JUDGE

05.01.2024
jk

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO