



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

SAO-22 of 2014 (O&M)
Date of Order:22.07.2024

Mamo Devi

.Appellant

Versus

Sarita alias Kavita and another

..Respondents

SAO-23 of 2014 (O&M)

Mamo Devi

.Appellant

Versus

Krishna Devi and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ivneet Singh Pabla, Advocate
for the appellant (in both the cases)

Mr. Tarundeep Kumar, Advocate
for the respondents.

ANIL KSHETARPAL, J

1. These two connected second appeals against a common order passed by the learned Additional District Judge, Kuruskehtra, have been filed in the proceedings initiated under Section 372 of the Indian Succession Act, 1925. In substance, the dispute is with regard to the receipt of service/retiral benefits of late Sh. Kitab Singh, who died on 07.07.2006. He was working as a Sweeper in the Kuruskehtra Development Board. The appellant claims that she is mother of Sh. Kitab Singh, whereas the respondents claim that they are widow and daughter of Sh. Kitab Singh.

2. The trial court granted the succession certificate in favour of the mother, whereas the First Appellate Court has held that Smt. Mamo Devi,



the appellant, is not the mother but aunt of Sh. Kitab Singh. The court has also held that Smt. Krishana Devi is the widow and Smt. Kavita is daughter of late Sh. Kitab Singh.

3. It has come on record that Smt. Sarita @ Kavita was daughter of late Sh. Kitab Singh as per the date of birth certificate issued by the Registrar, Deaths and Births and the school admission record.

4. Per contra, Smt. Mamo Devi claims to be the mother on the basis of ration card however, it came on the record that Sh. Hirda Ram and Sh. Pohlu Ram were two brothers. Smt. Mamo Devi was the wife of Sh. Hirda Ram and not Sh. Pohlu Ram. In additional evidence, before the First Appellate Court the documents were produced that Sh. Hirda Ram and Sh. Pohlu Ram were two different persons. Smt. Mamo Devi had claimed that in fact Sh. Pohlu Ram was also known as Sh. Hirda Ram.

5. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

6. Dismissed.

7. All the pending miscellaneous applications, if any, are also disposed of.

July 22, 2024
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO