



213 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-2254-2024 (O&M)  
Date of Decision : 15-07-2025

JAGAT SINGH

.....Petitioner

VERSUS

THE SUB DIVISIONAL MAGISTRATE KALKA CUM PRESIDING  
OFFICER AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ajay Pal Singh Saini, Advocate for the petitioner.

Mr. Karpal Singh Sirohi, Advocate for the respondent.

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**HARSIMRAN SINGH SETHI, J. (Oral)**

1. Learned counsel for the petitioner submits that unfortunately the petitioner-Senior Citizen has passed away but he wants to implead the legal heirs of the petitioner-Senior Citizen to pursue the present petition.

2. Learned counsel appearing on behalf of the respondent submits that the present petition abates keeping in view the judgment passed by the Co-ordinate Bench of this Court in CWP No.26286 of 2019 titled “*Kidar Nath Vs. Deputy Commissioner, SAS Nagar Mohali and ors.*”, dated 29.09.2022, wherein it has been held that the writ petition abates upon the death of the petitioner-Senior Citizen, which principle of law has not been rebutted by the learned counsel for the petitioner.

3. Keeping in view the above, coupled with the fact that, the claim raised in the writ petition is still to be adjudicated and no order in favour of the petitioner-Senior Citizen has been passed so far hence, the present petition is disposed of as having been not pressed any further with the observations that no further orders are required to be passed as the petitioner has unfortunately died.

5. As no order on merit is being passed, learned counsel for the petitioner submits that there was a *Will* of the petitioner-Senior Citizen and certain disputes are going on in the Civil Court hence, the same be decided in accordance with the law keeping in view the facts and evidence brought before the competent court.

6. Ordered accordingly.

7. Pending application, if any, also stands disposed of.

15-07-2025  
Sapna Goyal

(HARSIMRAN SINGH SETHI)  
JUDGE

NOTE: Whether speaking: YES  
Whether reportable: NO