

In the High Court of Punjab and Haryana, at Chandigarh

1.

Civil Revision No. 1629 of 2025

Bhupinder Kaur Babbar

... Petitioner(s)

Versus

Surinder Kaur Rana and Others

... Respondent(s)

2.

Civil Revision No. 1635 of 2025

Bhupinder Kaur Babbar

... Petitioner(s)

Versus

Surinder Kaur Rana and Others

... Respondent(s)

AND

3.

Civil Revision No. 1638 of 2025

Bhupinder Kaur Babbar

... Petitioner(s)

Versus

Surinder Kaur Rana and Others

... Respondent(s)

RESERVED ON: 20.03.2025

PRONOUNCED ON: 27.03.2025

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present:

Dr. Neha Awasthi, Advocate
for the petitioner(s).

Anil Kshetarpal, J.

I. Brief Facts

1. With the consent of the learned counsel representing the petitioner, three connected Civil Revision Petitions, filed under Article 227 of the Constitution of India, shall stand disposed of by this common order.

2. In all the three revision petitions, the petitioner assails the correctness of three separate and distinct orders passed by the Civil Court on 06.09.2023. In Civil Revision No. 1629 of 2025, the petitioner has assailed the application filed by the petitioner for appointment of Local Commissioner to inquire the revenue record has been dismissed. In Civil Revision No. 1635 of 2025, the correctness of the Trial Court order dismissing the application filed by the petitioner under Order XI of the Code of Civil Procedure, 1908 (hereinafter referred to as “CPC”) to serve interrogatories is assailed, whereas in Civil Revision Petition No. 1638 of 2025, the petitioner prays for setting aside the Trial Court’s order dated 06.09.2023 dismissing her application under Section 114 read with Section 10 CPC.

3. In order to comprehend the issues involved in the present case, the relevant facts, in brief, are required to be noticed. Dispute with regard to the succession of the property left behind by late Sh. Iqbal Singh Rana is pending in two civil suits. He left behind his widow, a son and three married daughters. The petitioner is one of the married daughters. She filed a suit claiming 1/5th share of the property on the basis of natural succession, whereas her mother and brother have filed a suit claiming property to the exclusion of other legal heirs on the basis of the Will dated 28.10.2002. All

the three applications were filed by the petitioner in the civil suit filed by her mother and brother. The said civil suit was filed in the year 2013. It is evident that the petitioner, while filing the application under Order XVI CPC, seeks the help of the Court for collection of evidence on her behalf. By filing an application under Order XI CPC, the petitioner prays for serving the following interrogatories:-

- “A. State on oath that all the properties which is subject matter of dispute and is part of this litigation are the self acquired property of the husband of the plaintiff No.1.*
- B. Produce in original document of which plaintiff no.2 have given undertaking before the Hon’ble Punjab and Haryana High Court and before this Court.*
- C. Produce all the revenue record i.e. fard and registries of all properties subject matter in question.”*

4. Similarly, the petitioner prays for stay of suit filed by her mother and brother while recalling the earlier order dated 07.10.2017. All the three applications have been dismissed. It would be noted here that the petitioner also filed Civil Revision No. 3352 of 2021 which was dismissed on 01.04.2022.

II. Analysis and Discussion

5. Heard the learned counsel representing the petitioner, who appears as a legal aid counsel.

6. In the opinion of this Court, the petitioner is misusing the process of Court by stalling the progress of the suit while filing one application or the other. In the year 2021, she filed an application for

seeking direction to the defendants to supply a copy of the documents against her mother and brother which was dismissed. She filed a revision petition, which was also dismissed.

7. All these three revision petitions have been filed after an unexplained delay of 1½ year as the impugned orders were passed on 06.09.2023 whereas the revision petitions were filed on 07.03.2025. Moreover, the suit was filed in the year 2013. A period of 12 years has already elapsed. The petitioner filed the suit in the year 2010. It is surprising that the petitioner has been granted legal aid, though, as per the plaint, she is working as an Assistant Professor, Department of Zoology, Punjab Agricultural University, Ludhiana. Moreover, before granting counsel through legal aid, the Incharge is required to be conscious of the fact that this Court is not to be burdened with unnecessary litigation by taking the facility of legal aid.

III. Decision

8. Keeping in view the aforesaid facts, no ground is made out to interfere with the impugned orders. Hence, all the three revision petitions are dismissed.

**(Anil Kshetarpal)
Judge**

March 27, 2025

“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No