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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CR-3464-2025

Date of decision: 03.07.2025

Vivek Kumar Bhanot and others

...Petitioners

Versus

Krishan Kumar Sharma (deceased) through his LRs and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Amit Jhanji, Sr. Advocate with
Ms. Kudrit Kaur Sara, Advocate for the petitioners.

Mr. Viney Sharma, Advocate and
Mr. R.K. Chaudhary, Advocate for the respondent Nos.1 and 2.

VIKAS BAHL, J. (ORAL)

1. This is a revision petition filed under Article 227 of the Constitution of India for quashing of impugned order dated 20.05.2025 (Annexure P-1) passed by the Civil Judge (Senior Division), Chandigarh.
2. Learned Senior Counsel for the petitioners has submitted that since as per the impugned order, it has been observed by the trial Court that the present petition for succession certificate is summary in nature and the will/rights of the applicants/petitioners are required to be adjudicated by way of separate civil suit thus, the petitioners be permitted to withdraw the present revision petition with liberty to seek alternative remedy, in accordance with law including filing of the civil suit.



3. Learned Senior Counsel for the petitioners has submitted that it however be clarified that the respondents would not raise an objection with respect to the maintainability of the civil suit proposed to be filed by the petitioners, in view of the order passed in the succession proceedings.

4. Learned counsel for respondent Nos.1 and 2 has fairly submitted that they would not raise objection regarding maintainability of the suit on account of the orders passed in the present proceedings but has further submitted that liberty sought and granted should not be construed as an estoppel against respondents from raising the plea on merits in the said civil suit.

5. In view of the abovesaid facts and circumstances, the present petitioners are permitted to withdraw the revision petition with liberty aforesaid. In case any such alternative remedy/suit is filed by the petitioners, the respondents would be bound by the statement made before this Court but the present order would not be construed as an estoppel against any of the parties to raise all the pleas which are available to them in the said civil suit.

03.07.2025

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No