



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

CR-8328-2025(O&M)
Date of decision: 18.11.2025

Mastan Singh and another

... Petitioners

Versus

Jaspal Singh and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Sherry K. Singla, Advocate,
for the petitioners.

Mr. G.S. Punia, Senior Advocate, with
Ms. Harveen Kaur, Advocate,
for respondents No.1, 2 & 5.

VIKRAM AGGARWAL, J. (Oral)

The instant revision petition, preferred under Article 227 of the Constitution of India, assails order dated 04.11.2025 (Annexure P-8), passed by the Court of Civil Judge (Jr. Divn.), Amloh, vide which the petitioners/plaintiffs were denied permission to address arguments regarding execution of Will dated 07.01.1987 and transfer deed dated 27.07.2011.

2. Though notice of motion has not been issued, Mr. G.S. Punia, Senior Advocate, with Ms. Harveen Kaur, Advocate, is present on behalf of respondents No.1, 2 & 5. Further, keeping in view the nature of the order that is proposed to be passed, notice of motion is not being issued.

3. Previously, the petitioners/plaintiffs had instituted CR-2669-2025, titled “**Mastan Singh and another v. Jaspal Singh and others**” (Annexure P-7), assailing order dated 11.04.2025, vide which the application filed by them for framing of additional issues had been dismissed. The said



revision petition was dismissed, but this Court categorically observed as under:-

“13. First of all, it has already been ordered that all suits shall be heard and decided on the same day with a view to avoid contradictory findings. It is also a conceded position that issues with regard to the Will dated 07.01.1987 and transfer deed dated 27.07.2011 already stand framed in Civil Suit No.1844 of 2012, titled as Balwinder Kaur etc., Vs. Harbans Kaur etc., and Civil Suit No. 1448 of 2013, titled as Harbans Kaur Vs. Amrik Singh. Still further, issue No.1 framed in the present case duly covers the issue of Will and transfer deed. To arrive at the conclusion, as to whether the petitioners-plaintiffs would be entitled to a decree for separate possession, the trial Court would have to record a finding as regards ownership also which has been claimed in the plaint and, therefore, findings on the issue of Will and transfer deed would have to be recorded.”

4. When the arguments were to be addressed before the trial Court, the petitioners/plaintiffs sought to address arguments on the issue of execution of Will dated 07.01.1987 and transfer deed dated 27.07.2011. However, the trial Court denied this request on the ground that the revision petition (CR-2669-2025) had already been dismissed by this Court, and any observation made therein could not be looked into in isolation.

5. In the considered opinion of this Court, the trial Court erred in holding so, given the observations of this Court in paragraphs 11 to 14 of order dated 08.10.2025, passed in CR-2669-2025 (Annexure P-7). Still



further, there is already a decision that all the suits shall be heard and decided together and, therefore, it was all the more reason for the trial Court not to have restrained the petitioners/plaintiffs from addressing arguments on the question of Will dated 07.01.1987 and transfer deed dated 27.07.2011. That being so, the impugned order is clearly unsustainable.

6. Accordingly, the revision petition is allowed and the impugned order order dated 04.11.2025 (Annexure P-8) is set aside. The Court concerned is directed to proceed in accordance with law, keeping in view the observations made by this Court while deciding CR-2669-2025.

7. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

November 18, 2025
Rajan

Whether speaking / reasoned:	Yes/No
Whether Reportable:	Yes/No