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

CR-2781-2026 (O&M)

Date of decision : 27.03.2026

Gurmeet Kaur (deceased) through LR

...Petitioner

Versus

Palwinder Kaur

...Respondent

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Saransh Sabharwal, Advocate for the petitioner.

HARPREET KAUR JEEWAN, J. (Oral)

1. By way of filing the present petition under Article 227 of the Constitution, the petitioner-plaintiff has sought quashing of order dated 11.02.2026, whereby the trial Court has declined permission for adducing additional evidence by way of examining the witness, namely, Gurbhej Singh.

2. I have considered the contentions raised on behalf of the petitioner.

3. The petitioner intended to lead additional evidence by way of filing an application under Section 151 of the Code of Civil Procedure, 1908 (*for short, 'the CPC'*), to examine PW-Gurbhej Singh, who is a witness of the alleged unregistered Will dated 20.06.2006, having been executed by Gurmeet Singh, son of Gurmej Kaur, plaintiff, who had initially filed the suit and he is the husband of the sole defendant, Palwinder Kaur.

4. The suit was initially filed by Gurmej Kaur and in the suit (Annexure P-1), there are no pleadings that the property has been



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inherited on the basis of the aforesaid alleged Will dated 20.06.2006. A perusal of copy of the suit clearly indicates that challenge in the said civil suit is only to a Will which is alleged to have been propounded by the defendant and to the mutation which is alleged to have been sanctioned on the basis of the said Will in favour of the respondent-defendant.

5. The alleged Will sought to be proved by way of leading additional evidence is an unregistered document. The civil suit was originally filed in the year 2007. After so many years, for the first time, the Will dated 20.06.2006 is sought to be proved on record and the witness is sought to be summoned under Section 151 CPC to prove the alleged Will. There is no explanation for such a long delay in producing the said document, which is also an unregistered one.

6. Keeping in view the aforesaid circumstances, I find no illegality in the reasons recorded by the trial Court while dismissing the application filed by the petitioner, disallowing the application under Section 151 CPC.

7. Consequently, present petition is dismissed.

8. However, it is made clear that there are no observations on merits of the controversy pending before the trial Court.

9. Pending miscellaneous application(s), if any, shall also stand disposed of.

27.03.2026

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :
Whether Reportable :

Yes	No
Yes	No