



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

LPA No.1294 of 2026 (O&M)

Date of Decision: 05.05.2026

RAM NATH (SINCE DECEASED) THROUGH HIS LRS

.....Appellant

Versus

FINANCIAL COMMISSIONER (REVENUE) HARYANA AND OTHERS

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr. Balkar Singh, Advocate for the appellants.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-3140-LPA-2026

Application is allowed as prayed for.

Main Appeal

1. In the present appeal, the challenge is to the impugned judgment dated 09.04.2026 passed by the learned Single Judge in CWP-10868-2026, whereby the writ petition filed by the appellants has been dismissed.

2. Learned counsel for the appellants submits that even if the benefit of existence of the 'Will' dated 18.01.1973 was being denied by the learned Single Judge while passing the order dated 09.04.2026, which has been impugned in the present appeal, but as the matter was still sub-judice before the competent Court of law, liberty should have been given to the appellants that in case, the appellants succeed in any manner or any right accrues to get any benefit based upon the 'Will' dated 18.01.1973, the appellants can avail appropriate remedy at the relevant stage.

3. We have heard the learned counsel for the appellants and have gone through the record with his able assistance.

4. We find the aforesaid assertion of the appellants to be meritorious. In case, as of now the benefit of 'Will' is not to be extended due to any order passed by the Civil Court but the said judgment of Civil Court is pending consideration in appeal, any right upon the 'Will' dated 18.01.1973 which accrues to the appellants upon conclusion of such litigation, , the appellants will be free to avail appropriate remedy at that stage. Hence, no ground to interfere is made out. The present appeal is dismissed accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

05.05.2026
sandeep

Whether Speaking/Reasoned :	Yes
Whether Reportable :	No