

ITEM NO.18

COURT NO.5

SECTION IV-B

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 26422/2019  
(Arising out of impugned final judgment and order dated 23-07-2019  
in LPA No. 1268/2019 (O&M) passed by the High Court Of Punjab &  
Haryana At Chandigarh)

VIJAY KUMAR &amp; ORS.

Petitioner(s)

VERSUS

DEPUTY COMMISSIONER CUM DISTRICT MAGISTRATE & ANR. Respondent(s)  
(IA No.169178/2019-EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT )

Date : 13-11-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE R. BANUMATHI  
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. Shubham Bhalla, AOR  
Mr. Yajur Bhalla, Adv.  
Mr. Vivek Bhati, Adv.  
Mr. Bharat Upreti, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

Having heard the learned counsel appearing on behalf of the petitioners, we see no reason to interfere with the order impugned herein. At this stage, learned counsel appearing for the petitioner would however refer to the observations contained in the order of the Learned Single Judge dated 23.01.2019 wherein according to the learned counsel for the petitioner, the claim of the petitioner to the property has been foreclosed and the same would effect the right of civil remedy reserved by the Division Bench. Though such contention is put forth, we note that the said observation relates

to the succession/survivorship aspect of the matter. In the order passed by the Division Bench, the claim put forth based on will dated 07.02.2011 has been referred. If that be so, if any claim is made by the petitioner based on will, the same would be considered in accordance with law without impediment on its own merits and without being influenced by any of the observations contained in the order of the learned Single Judge.

The special leave petition is, accordingly, dismissed.

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

(MADHU BALA)  
COURT MASTER (SH)

(NISHA TRIPATHI)  
BRANCH OFFICER