



HIGH COURT OF CHHATTISGARH AT BILASPUR

SA No. 272 of 2024

HAIDER ALI versus SHEIKH SHAMSHAD

Order on Board

19/01/2026	Mr. Manoj Paranjpe, learned Senior Advocate along with Mr. Sandeep Patel, learned counsel for the Appellant. Dr. Sudeep Agrawal, learned counsel for respondent No. 1. Mr. Manish Kumar Saluja, learned counsel for respondent No. 2 & 3 Mr. Ishwar Jaiswal, learned counsel for respondent No. 4. Mr. Malay Jain, learned Panel Lawyer for respondent No. 5. The present Second Appeal has been preferred under Section 100 of the Code of Civil Procedure, 1908, calling in question the judgment and decree dated 12.03.2024 passed by the learned II Additional District Judge, Sakti, District Janjgir-Champa (C.G.) in Civil Appeal No. 13-A/2019, whereby the appeal filed by the plaintiffs was dismissed and the judgment and decree dated 06.12.2018 passed by the

learned Trial Court were affirmed.

Heard on the question of admission.

Upon due consideration of the pleadings on record, the impugned judgments and the submissions advanced by learned counsel for the appellant, this Court is of the considered opinion that the appeal involves the following substantial questions of law:

1. Whether defendant No. 1 has proved the Will dated 17.04.1975 (Ex.D/1) by satisfying the requirement as prescribed under Section 69 of the Evidence Act?
2. Whether, in absence of proof & consideration about consent of other legal heirs of Late Rashid Ali, execution of a Will bequeathing more than 1/3rd share is permissible?

Accordingly, the Second Appeal is **admitted** for hearing on the aforesaid substantial questions of law.

List this case for final hearing in the weekly list in due course.

Interim order to continue till the next date of hearing.

Sd/-

(Bibhu Datta Guru)
Judge