



HIGH COURT OF CHHATTISGARH AT BILASPUR

SA No. 647 of 2019

Sunil Kumar Sharma (Died)Through Lrs **versus** AJIT KUMAR SHARMA & Ors.

Order on Board

20/04/2026	Mr. Sunil Tripathi & Mr. Sandeep K. Sharma, Counsel for the Appellant. Mr. Rakesh Kumar Jha along with Ms. Somya Das, Counsel for Respondents No. 1 (A) to (d). Ms. Prachi Singh, Counsel for Respondent No. 2. Ms. Laxmeen Kashyap, Counsel for Respondent No. 3. Heard on the question of admission. The Appeal is admitted for hearing on the following substantial question of law : 1. Whether the learned First Appellate
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	Court erred in law in reversing the finding of the learned Trial court and holding that the Will dated 02.04.2011 (Ex.D/1) was not proved in accordance with law? 2. Whether non-recital of the execution of an earlier Will in the subsequent Will is a relevant circumstance to be considered while examining the sanctity and genuineness of the subsequent Will? Issue notice to the respondents, on payment of process fee within a period of 10 days. Mr. Rakesh Kumar Jha along with Ms. Somya Das, Advocate appears and accepts notice on behalf of Respondents No. 1 (A) to (d). Ms. Prachi Singh, Advocate appears and accepts notice on behalf of Respondent No. 2. Ms. Laxmeen Kashyap, Advocate appears and accepts notice on behalf of Respondent No. 3. Also heard on I.A. No. 01/2019, an application under Order 41 Rule 5 read with Section 151 of the CPC. Learned counsel for the appellant submits that the appellant is in possession of the land in question
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and during pendency of the appeal, the respondents are attempting to dispossess them.

Per contra, learned counsel for respondent No. 1(A) to 1(D) opposes the prayer and submits that no proceedings for dispossession are being undertaken.

Heard learned counsel for the parties. Considering the submission of learned counsel for the appellant regarding possession over the suit property, it is directed that the parties shall maintain status quo, as existing today, in respect of the suit property till the next date of hearing.

Accordingly, I.A. No. 01/2019 is disposed off.

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

Sd/-

(BIBHU DATTA GURU)
Judges