

Hon'ble Prafulla C. Pant, J.

Shri Siddhartha Singh, Advocate,
present for the appellant.

Heard.

This appeal is directed against the order dated 29.04.2013, passed by Learned Civil Judge (Senior Division) Hardwar, in Misc. Case No. 48 of 2005, whereby said court has declined to issue the succession certificate in favour of the appellant.

Learned counsel for the appellant submitted that the appellant was entitled to the succession certificate in terms of order dated 06.06.2005, passed by Division Bench, of this Court in AO No. 1529 of 2001, which has already attained the finality. It is argued that still the trial court has declined to issue the succession certificate.

Admit the appeal.

Summon the record.

Issue notice to the respondents.

Having heard learned counsel for the appellant, and after going through the impugned order passed by the trial court, as an interim measure, it is directed that the security deposited by respondent no.1 before the trial court shall not be released until further orders of this Court. (Stay Application No. 5086 of 2013 stands disposed of).

List after service of notice on the respondents.

(P.C.Pant,J.)