

above. The petitioner's version is that the original document today is in the possession and control of Col. Kohat and can be produced by him.

A somewhat similar narration of facts is given in the synopsis and the list of dates accompanying the special leave petition, but the version has not so far been placed on affidavit. We, therefore, direct the petitioner to file an affidavit setting out the true facts relating to the alleged execution of the will by Meenu Vaid and its deposit with Col. Kohat on account of the alleged threats extended to the petitioner. The petitioner also undertakes to produce the original draft of the will prepared by him, allegedly on the instructions of Meenu Vaid, in his own hand-writing. Needful shall be done by the petitioner within ten days from today.

In the meantime, we direct that a notice shall issue to Colonel Subhash Chander Kohat to appear in-person in this Court on the next date of hearing and to produce the original will, if any executed by Meenu Vaid, allegedly lying in his possession for the present. Notice shall also issue to respondent No.5-Jatinder Singh Birgi to appear in this Court and to respond to the averments made in the special leave petition and the affidavit which the petitioner may file.

Post on Thursday, the 27th August, 2015."

It is submitted that pursuant to above Quoted order Notice was issued on 08.08.2015 to Colonel Subhash Chandra Kohat to appear in-person on the next date of hearing. Neither A.D. Card nor unserved cover containing notice has been received back so far.

It is further submitted that notice was also issued to Jatinder Singh Birgi respondent No. 5 to appear in this Court and to respond to the averments made in the special leave petition. Neither A.D. Card nor unserved cover containing notice has been received back so far.

It is also submitted that Mr. R. K. Adsure, Advocate for the petitioner has on 12.08.2015 filed affidavit alongwith hand written draft of Will, copy of identity proof and typed draft of Will of Ms. Meenu Vaid on Annxure P-28 to P-30. Same have been included in the paper books.

It is lastly submitted that pursuant to this Court's order dated 09.02.2015 petitioner has handed over the keys of the property i.e. House No. 1149, Sector 8-C, Chandigarh to the Secretary General of this Court on 13.02.2015.

Service of show cause notice is not complete on respondent No. 5.

The matter is listed before the Hon'ble Court with this office report.

Dated this the 26th day of August, 2015.

ASSISTANT REGISTRAR

Copy to: Ms. Anubha Agrawal, Advocate.
Ms. Tatini Basu, Advocate.

ASSISTANT REGISTRAR

Rajesh