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SLP(C)... 1813 OF 2004
ITEM No.10

Court No. 5

SECTION IVB

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal(Civil)... cc 1813/2004
(From the judgement and order dated 12/11/2003 in RSA 2236/01
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

NACHHATTAR SINGH & ANR.

Petitioner (s)

VERSUS

JANGIR SINGH & ORS.

Respondent (s)

(for c/delay in refiling SLP and Office Report)

Date : 27/02/2004 This Petition was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE RUMA PAL
HON'BLE MR. JUSTICE P.VENKATARAMA REDDI

For Petitioner (s) Mr.H.S.Phoolka, Sr.Adv.
Mr. Ajay K. Agrawal., Adv.

For Respondent (s) Mr.Sanjeev K.Pabbi, Adv.
Mr. S.K. Sabbarwal, Adv.

for rr.2 and 4 Mr.Kuldip Singh, Adv.
Mr.Raj K.Pandey, Adv.

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

Delay condoned.

It is stated by the learned counsel appearing on behalf of the petitioner that the only reason given by the High Court for holding that the will was not proved was the alleged failure of the petitioners to produce any attesting witnesses since it was not the case of the petitioners that both the witnesses were dead or incapable of giving any evidence or their whereabouts were not known. Our attention has been drawn to the High Court's order dated 20.2.2002 by which the petitioners were allowed to bring the death certificates of the attesting witnesses on record.

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Issue notice.

Mr.Kuldip Singh learned counsel appears and takes notice on behalf of respondents 2 and 4. Formal service of notice on these respondents is dispensed with.

Status quo in the meantime.

(USHA BHARDWAJ) (MADHU SAXENA)
MASTER

P.S.TO REGISTRAR COURT