



**206 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CM No.20218-CII of 2023 in  
FAO No.210 of 2002 (O&M)  
Date of decision : 07.08.2025**

C.S. Aggarwal and another

...Applicant/appellants

Versus

General Public and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN**

Present : Mr. Ashim Aggarwal, Advocate  
for the applicant/appellants.

Mr. Hitesh Verma, Advocate  
for non-applicant/respondent No.2.

**PANKAJ JAIN, J. (ORAL)**

**CM No.20218-CII of 2023**

This is an application filed under Section 151 CPC for placing on record judgment and order passed by Delhi High Court.

For the reasons recorded in the application, the same is allowed. Judgment and order passed by Delhi High Court, marked as Annexures A and 8, are taken on record subject to all just exceptions.

**FAO No.210 of 2002**

With the consent of counsels for the parties, the main appeal is taken on Board.

2. The present appeal has been filed against order dated 27.07.2000 passed by Civil Judge (Senior Division), Kaithal dismissing the application for setting aside order dated 26.03.1997.



3. An application was filed by respondent No.2 seeking succession certificate *qua* estate of late Smt. Shanti Devi Aggarwal w/o Assa Ram Aggarwal propounding Will, dated 07.12.1994. The same was allowed vide order dated 26.03.1997.

4. Thereafter, an application was filed by the present appellant for setting aside of the aforesaid *ex parte* decree propounding Will dated 02.08.1988 claiming the same to have been executed by Shanti Devi Aggarwal. The Application stands dismissed vide impugned order dated 27.07.2000.

5. An application was filed by the present appellant seeking letter of administration w.r.t. Will dated 02.08.1988 before the Delhi High Court.

6. Exercising original jurisdiction, Delhi High Court allowed the application.

7. The conclusions recorded in the order, read as under:

“89. The will dated 02<sup>nd</sup> August, 1998 (Ex.P/2) executed by late Shanti Devi is 'proved' to be her last and true will.

90. The will dated 21<sup>st</sup> October, 1994 set up by Surinder Aggarwal and the will dated 07<sup>th</sup> December, 1994 set up by Sneha Lata are '*disproved*'.

91. This petition is allowed and probate/letters of administration in respect of the will dated 02<sup>nd</sup> August, 1998 (Ex.P/2) of late Shanti Devi is granted to the petitioner upon filing of administration and surety bonds.

92. This Court is of the *prima facie* view that Surinder Aggarwal forged the will dated 21<sup>st</sup> October, 1994 and Sneha Lata forged the will dated 07<sup>th</sup> December, 1994 in connivance with the witnesses mentioned in the respective wills which is an offence



under Section 467 I.P.C. The objectors have raised false claims before this Court which is an offence under Section 209 I.P.C.

93. The objectors have no respect for truth and have polluted the fountain of justice with tainted hands. This case warrants imposition of heavy cost as well as prosecution of the objectors.

94. The cost of Rs.1,00,000/- is imposed on the objector, Sneh Lata. The cost be deposited by Sneh Lata with the Registrar General of this Court within two weeks.

95. List for considering further directions against the objectors and the witnesses to the wills dated 21<sup>st</sup> October, 1994 and 07<sup>th</sup> December, 1994 on 16<sup>th</sup> April, 2019.

96. Surinder Aggarwal, Sneh Lata and Gagan Singla shall remain present in Court on the next date of hearing.

97. Mr. Sanjeev Sindhvani, Senior Advocate and Mr. B.S. Mor, Advocate are appointed as *amicus curiae* to assist this Court in this matter.”

8. The aforesaid order granting letter of administration was challenged in an *Intra Court Appeal* i.e. FAO(OS) 75/2019. The appeal was disposed off on the statement made by counsel appearing for respondents. The memo of parties would show that the propounder of Will before Civil Courts at Kaithal, is the appellant in FAO before Delhi High Court.

9. In view of above, since Division Bench of Delhi High Court has decided the matter and the dispute has been put to quietus on the statement made by counsel for respondent No.2-Sneh Lata, the present appeal is allowed in terms of the order passed by Delhi High Court. The parties shall be governed by order passed by Delhi High Court in FAO(OS) 75/2019.

10. Pending application(s), if any, shall also stand disposed off.

**August 07, 2025**

**Dpr**

**(Pankaj Jain)  
Judge**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No