



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

113

FAO-2331-2014 (O&amp;M)

Date of decision : 20.05.2025

**Shubinder Singh Brar and another****..... Appellants****versus****Geetinder Grewal and others****..... Respondents****CORAM : HON'BLE MR. JUSTICE PANKAJ JAIN**

Present: Mr. R.S. Guron, Advocate  
for the appellants.

Mr. Amit Jhanji, Senior Advocate with  
Mr. Parvinder Singh, Advocate  
Mr. Kudrit Kaur Sara, Advocate and  
Mr. Arjun Singh, Advocate  
for respondents No.1 and 2.

Ms. Anju Arora, Advocate and  
Ms. Alisha Arora, Advocate  
for respondent No.3.

Mr. Ashish Rawal, Advocate and  
Mr. Jaivir Singh, Advocate  
for respondent No.5.

Mr. Ishan Kaushal, AAG, Punjab.

Mr. Gagandeep Singh Wasu, Sr. Standing Counsel  
for the respondent-CHB.

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

1. Challenge in the present appeal is to the order dated 08.05.2012 passed by Civil Judge (Sr. Divn.), Chandigarh whereby letter of administration has been issued in favour of the respondents qua WILL dated 19.11.1993.

2. The *lis* relates to petition filed under Section 276 of the Indian Succession Act, 1925 filed by respondents for grant of probate of Will executed by Major Satinderjit Singh Brar dated 19.11.1993. The



executant Major Satinderjit Singh Brar died on 10.08.1997.

3. Petition under Section 276 of the Indian Succession Act 1925 was instituted before this Court as probate case No.9/1998. Vide order dated 27.01.2005, the petition was transferred to the Court of District Judge, Chandigarh to decide the same. Order dated 27.01.2005 reads as under:-

“This is a petition under Section 276 of Indian Succession Act, 1925 for the grant of probate in respect of Will executed by Major Satinderjit Singh Brar on 19.11.1993.

The notice was issued to the respondents as well as citation was published in the Newspapers well but evidence is yet to be completed.

Keeping in view the entire facts and circumstances of the case and with the consent of the parties, the present petition is transferred to the Court of the District Judge, Chandigarh, who shall decide the petition from the present stage of the proceedings.

The parties through their counsel are directed to appear before the District Judge, Chandigarh on 14.2.2005.

Records of the present case be sent to the learned District Judge, Chandigarh to take further steps in accordance with law.”

4. The petition for grant of probate was ordered to be treated as one for the grant of letters of administration on the statement made by counsel for the petitioner on 01.11.2006. On 19.03.2007, counsel representing the petitioner brought to the notice of the District Judge, Chandigarh that vide notification No.325-Gaz.II/XV.C.16 dated 28.11.2025 issued by Punjab and Haryana High Court, Civil Judges (Sr. Divn.) and Additional Civil Judges have been conferred upon the powers with regard to proceedings under the Indian Succession Act for grant of probate and letter of administration. The petition was



accordingly transferred to the Court of Civil Judge, (Sr. Divn.), Chandigarh for further proceedings.

5. The petition was contested by the respondents. Initially four issues were framed vide order dated 02.03.2000 which read as under:-

“(1) Whether Major Satinderjit Singh Bar executed a Will dated 19.11.1993 in respect of properties mentioned in the Schedule to the petition? OPP

(2) Whether the petitioner is entitled to probate of will dated 19.11.1993 in respect of properties mentioned in the Schedule to the petition? OPP

(3) Whether the petition is properly valued for the purposes of Court fee? OPR

(4) Whether the petition for probate is properly verified? OPR”

6. Thereafter, the following two additional issues were framed on 07.02.2011:-

“(3A) Whether this Court has no jurisdiction to try and decide this petition for grant of Letters of Administration? OPR

(3B) Whether the petition is not maintainable under the provision of Indian Succession Act 1925, as alleged in additional pleadings of respondents No.2 and 3? OPP”

7. The Court below found that the petitioner successfully proved execution of the Will and allowed the petition. Letter of administration was ordered to be issued.

8. Mr. Guron has assailed the findings recorded by the Court below. He has eloquently argued that the order having been passed by the Court, not vested with the jurisdiction to decide letters of administration is in nullity. The argument raised is that in terms of Section 265 of the Indian Succession Act 1925, the High Court has



power to appoint judicial officer as delegates which in terms of Section 265(2) are called 'District Delegates'. He submits that even if the notification relied upon by the District Judge to transfer the probate petition to the Civil Judge (Sr. Divn.), is held to be valid, the Civil Judge (Sr. Divn.) will be at the most a 'district delegate'. He has further drawn attention of this Court to the provision as contained under Section 286 and 288 of 1925 Act to submit that the moment the Will came in contention, the procedure required to be followed by district delegate was to return the petition for adjudication to the Court having jurisdiction to adjudicate upon the same.

9. Mr. Guron has further referred to Section 264 to submit that even District Judge lacks jurisdiction to issue letter of administration. He submits that in terms of Section 264(2) until and unless there is a notification published in the official gazette, authorizing the District Judge to grant and revoke probates and letters of administration, it is not within jurisdiction of District Judge to grant the same. He further submits that even if the appellant had consented before the High Court for transfer of the probate proceedings to the District Judge, the same shall not have an effect of conferring jurisdiction on the Court not vested in it by the statute. He places reliance upon Section 273 to submit that the testator in the present case was admittedly having fixed place of abode in Muktsar not within the territorial jurisdiction of District Judge thus, the letter of administration granted by District Judge, Chandigarh or for that reason Civil Judge (Sr. Divn.), Chandigarh cannot have an effect over the property and estate situated within the limits of Punjab being more than value of Rs.10,000/-.



10. Mr. Guron has also assailed the findings recorded by the Court below granting letter of administration on merits. It has been contended that as per settled proposition of law, propounder of Will is not only required to prove valid execution thereof in terms of law, but is also under obligation to dispel the suspicious circumstance, if any. In the present case, the Will is surrounded by suspicious circumstances. The reason assigned to exclude the petitioner and the other son are not factually correct. He submits that prior to execution of the present Will, there existed another Will executed by the same executant brought on record as Annexure RW-6/A, whereby the executant bequeathed his entire property for charity. The other Will dated 10.04.1989 has not even been mentioned in the present Will. He thus, submits that it is highly debatable as to whether the Will was executed by the testator or not. He further submits that surprisingly, it is only the probate petitioner, who knew as to where the Will was. No other member of the family knew about the Will and thus, the Court before granting letter of administration ought to have been alive to the aforesaid suspicious circumstances which are enough to dislodge the WILL. He further submits that petitioner herself never appeared in the witness box which also is a circumstance which ought to have been taken by the Court against her.

11. *Per contra*, senior counsel representing the respondents has supported the order passed by the Lower Appellate Court. He submits that Section 264 of 1925 Act is not applicable to the present proceedings. It has been contended that Section 264(2) makes it explicit that the same is not applicable to the cases which are governed by



Section 57. He has drawn attention of this Court to Section 57(c) to submit that the Will in question being a Will made by a Sikh after first day of January 1927 would be governed by Section 57 and thus, would fall within the exception carved out under Section 264(2). He thus, submits that there was no requirement of notification to be issued by State Government. Reference is being made to ***Lekshmi M. Nair vs. Sudhamony Amma C.K. and others*** reported as ***2024 SC Online Ker 908***.

12. He further draws attention of this Court to notification issued by U.T. Chandigarh, whereby notification issued by High Court dated 1995 was adopted. It has been contended that the said notification having been issued exercising power under Section 30 of the Punjab Courts Act and the same having been adopted by U.T., Civil Judges (Sr. Div.) possess jurisdiction and are authorized to adjudicate upon the probate proceedings and for grant of probate as well as letters of administration. It has been further contended by senior counsel that in view of the said notification, Section 273 of the Act would not apply. Further asserts that in light of the notification, it is evident that it is not a case of exercise of power under Section 265 to appoint delegate that would leave room for application of Sections 286 and 288 of the Indian Succession Act, 1925.

13. On merits, he asserts that the Will stands duly proved. The attesting witnesses namely Harbans Lal and Avinash appeared as PW2 and PW3. Scribe Subhash Chander appeared before the Court as petitioner-witness, wrongly numbered as PW2. Reference has been made to the contents of the Will to submit that the same was executed



by the testator in a sound disposing mind. The same is evident from the fact that he was fully aware that after his death, his wife shall be entitled to draw family pension. A valid and specific reason has been given to exclude the sons. Both of them got sufficient immovable property by way of Civil Court decree No.233 dated 27.05.1990 on the basis of family settlement. It has been thus, contended that merely for the reason the petitioner did not step into witness box, the WILL cannot be discarded, that too in the absence of any allegation/evidence that she participated in the execution of the Will.

14. I have heard counsel for the parties and have carefully gone through the records of the case.

15. In the considered opinion of this Court, the following issues arise for the determination of this Court:-

- (1) *Whether provision contained under Section 264 is applicable to the present lis?*
- (2) *Whether jurisdiction has been exercised by Civil Judge (Sr. Divn.) as a delegate as contemplated under Section 265 of the Indian Succession Act?*
- (3) *Whether Civil Judge (Sr. Divn.) has power to issue letter of administration under the provisions of Indian Succession Act?*
- (4) *Whether Courts below rightly held the Will in issue to be legal and valid and thus rightly issued letter of administration?*

16. Chapter IV of the Act deals with practice in granting and revoking probates and letter of administration. Section 264 and Section 57 of the Act read as under:-

**“264. Jurisdiction of District Judge in granting and revoking probates, etc.—**

- (1) The District Judge shall have jurisdiction in granting and revoking probates and letters of administration in all cases within his district.



(2) Except in cases to which section 57 applies, no Court in any local area beyond the limits of the towns of Calcutta, Madras and Bombay, \*\*\* shall, where the deceased is a Hindu, Muhammadan, Buddhist, Sikh or Jaina or an exempted person, receive applications for probate or letters of administration until the State Government has, by a notification in the Official Gazette, authorised it so to do.

**57. Application of certain provisions of Part to a class of Wills made by Hindus, etc.—**

The provisions of this Part which are set out in Schedule III shall, subject to the restrictions and modifications specified therein, apply—

(a) to all Wills and codicils made by any Hindu, Buddhist, Sikh or Jaina on or after the first day of September, 1870, within the territories which at the said date were subject to the Lieutenant-Governor of Bengal or within the local limits of the ordinary original civil jurisdiction of the High Courts of Judicature at Madras and Bombay; and

(b) to all such Wills and codicils made outside those territories and limits so far as relates to immoveable property situate within those territories or limits; and

(c) to all Wills and codicils made by any Hindu, Buddhist, Sikh or Jaina on or after the first day of January, 1927, to which those provisions are not applied by clauses (a) and (b):  
Provided that marriage shall not revoke any such Will or codicil.”

17. Collective reading of the two provisions makes it abundantly clear that the Will in issue in the present *lis* having been executed by a Sikh after first day of January, 1927 would fall within the exception as carved out under Section 264(2) and thus the said provision is not applicable in the present case.

18. Likewise, the argument raised by the counsel for the appellant that the Civil Judge acted as delegate of District Judge and was thus not entitled to deal with non contentious issues cannot be sustained.

19. High Court of Punjab and Haryana issued notification dated 28.11.1995 which reads as under:-



“No. 325 -Gaz.II/XV.C.16, dated, Chandigarh, the 28.11.1995

In supersession of Punjab High Court's notification No.274-Gaz/XV.C.16, dated 22.6.1932 and in exercise of the powers conferred by Section 30 of the Punjab Courts Act, 1918 (as amended upto data) and in supersession of all previous notifications issued by this Court in this behalf from time to time, the Hon'ble Chief Justice and Judges of the High Court of Punjab and Haryana at Chandigarh have been pleased to confor upon all the civil Judges (Junior Division) and Addl. Civil Judges (Senior Division) in the States of Punjab and Haryana, the powers with regard to proceeding under the Indian Succession Act, 1865 and the Probate and Administration Act, 1881 with effect from the date of this notification.

2. All matter relating to pending cases whether before or after the decree shall, however, continue to be dealt with by the court in which they were instituted.”

20. Section 89 of the Punjab Reorganization Act, 1966 clothes the appropriate Government to adapt laws applicable to State of Punjab.

21. The same was adapted for Union Territory of Chandigarh vide notification dated 01.11.1998 which reads as under:-

“(Extract from the Chandigarh Administration Gazette, dated November 1, 1998)

"No. 340-Gaz.II/XV.C.16-In exercise of the powers.-conferred by Section 30 of the Punjab Courts Act, 1918 (as amended upto date) and in suppression of the present notification now in force, the Hon'ble the Chief Justice and Judges have been pleased to confer upon Civil Judges (Senior Division) and Addl. Civil Judges (Senior Division) in U.T., Chandigarh the powers with regard to proceedings under the Indian Succession Act, 1885 and the Probate and Administration Act, 1881 with effect from the date of this notification.

2. All matters relating to pending cases whether before or after the decree shall, however, continue to be dealt with by the court in which they were instituted.”



22. The appellants in the present case challenged the vires of the aforesaid notifications vide CWP No.18953 of 2009. The order passed by Writ Court rejecting the contention of the appellants against the notifications reads as under:-

“The petitioners have sought quashing of notifications dated 28.11.1995 (Annexure P-1) and 1.11.1998 (Annexure P-2) issued by the Punjab and Haryana High Court in exercise of powers vested under Section 30 of the Punjab Courts Act, 1918, conferring powers upon Civil Judges (Senior Division) and Addl. Civil Judges (Senior Division), in respect of the proceedings under the Indian Succession Act, 1865 and Probate and Administration Act, 1881.

The short argument raised by the learned counsel for the petitioners is that the Indian Succession Act, 1865 was repealed with the enactment of the Indian Succession Act, 1925 (for short '1925 Act'). Section 392 of 1925 Act repealed the enactments mentioned in Schedule IX to the extent specified in the 3rd column thereof. As per Schedule IX, Indian Succession Act, 1865 and the Probate and Administration Act, 1881 were repealed so much as has not been already repealed. Subsequently, Section 392 was repealed by Act No.XII of 1927. It is, thus, argued that the publication of notifications by this Court to empower subordinate Judicial Officers to exercise jurisdiction in respect of repealed Statutes i.e. Indian Succession Act, 1865 and Probate and Administration Act, 1881, is illegal.

Section 30 of the Punjab Courts Act, 1918 reads as under :

"30. Exercise by Civil Judges (Senior Division) and Civil Judges (Junior Division) of jurisdiction of District Court in certain proceedings - (1) The High Court may be general or special authorize any Civil Judges (Senior Division) and Civil Judges (Junior Division), to take cognizance of, or any District Judge to transfer to a Civil Judges (Senior Division) and Civil Judges (Junior Division) under his control, any of the proceedings next hereinafter mentioned or any class of those proceedings specified in such order.



(2) The proceedings referred to in sub-section (1) are the following namely :-

X of 1865

(a) Proceedings under the Indian Succession Act, 1865 and the Probate and Administration Act, 1881 which cannot disposed of by the District Judge."

The notifications Annexures P-1 and P-2 have been issued by this Court in exercise of powers conferred by Section 30 of the Punjab Courts Act, 1918. The powers conferred on this Court for authorizing Civil Judges (Senior Division) and Civil Judges (Junior Division) are in respect of proceedings under the Indian Succession Act, 1865 and Probate and Administration Act, 1881. Therefore, though the aforesaid Statutes have been repealed, but the notifications will be deemed to be in terms of the existing Statutes i.e. Indian Succession Act, 1925.

It is well settled that where a source of power exists, the exercise of such power is referable only to that source and not to some other source. Even mention of wrong provision or the omission to mention provision which contains the source of power will not invalidate an order where source of such power exists. **In P. Balakotiah Vs. Union of India AIR 1958 SC 232**, the Constitution Bench of Hon'ble Supreme Court has held to the following effect :

"9. It is argued that when an authority passes an order which is within its competence, it cannot fail merely because it purports to be made under a wrong provision if it can be shown to be within its powers under any other rule, and that the validity of an order should be judged on a consideration of its substance and not its form. No exception can be taken to this proposition..."

Later in **Lekhraj Sathramdas Lalvani Vs. N.M.Shah, Deputy Custodian-cum-Managing Officer AIR 1966 SC 334**, reiterated the same principle holding that :

"It is well established that when an authority passes an order which is within its competence, it cannot fail merely because it purports to be made under a wrong provisions if it can be shown to be within its power under any other rule, and the validity of the impugned



order should be judged on a consideration of its substance and not of its form. The principle is that we must ascribe the act of a public servant to an actual existing authority under which it would have validity rather than to one under which it would be void. We, therefore, reject the argument of the appellant on this aspect of the case."

The Constitution Bench in *Union of India and another Vs. Tulsiram Patel AIR 1985 Supreme Court 1416*, has held that :

"126. ....The omission to mention in the impugned orders the relevant clause of the second proviso or the relevant service rule will not, therefore, have the effect of invalidating the orders and the orders must be read as having been made under the applicable clause of the second proviso to Article 311(2) read with the relevant service rule....."

In *K.K. Parmar Vs. H.C. Of Gujarat (2006) 5 SCC 789*, the Hon'ble Supreme Court has held that :

"21. The superior court exercising its power of judicial review is not concerned as to whether a wrong provision of law has been taken recourse to, but is only concerned with the question as to whether the authority passing the order had the requisite jurisdiction under the law to do so or not. In the event, it is found that the impugned order is not ultra vires or illegal or without jurisdiction, the same would not be interfered with only because it at one point of time proceeded on a wrong premise. A jurisdictional question, in our opinion, can always be permitted to be raised. We, therefore, do not find any substance in the said contention of Mr. Kapur."

Thus, it is the well-settled principle that mentioning of wrong provision of law does not vitiate the order passed. Therefore, even though Indian Succession Act, 1865 and the Probate and Administration Act, 1881 have been repealed, but the said notifications shall be deemed to be in respect of Indian Succession Act, 1925 alone. As a matter of fact, it cannot be strictly called mistake in the notifications, as the Punjab Courts Act, 1918, still recites Indian Succession Act, 1865



and the Probate and Administration Act, 1881. Therefore, omission to mention Indian Succession Act, 1925 in the notifications, is wholly inconsequential.

In view of the above, we do not find any merit in the present writ petition. The same is dismissed.”

23. In view of the aforesaid notifications as upheld by the Division Bench of this Court, it is amply clear that the Civil Judge was empowered to deal with proceedings under the Indian Succession Act, 1865 and to grant probates and letter of administration. Thus, the objection raised by counsel for the appellants questioning the jurisdiction of the Civil Judge (Sr. Divn.), Chandigarh to entertain and to issue letter of administration *sans merit* and is hereby rejected.

24. The issue raised regarding validity of the Will is regarding exclusion of the appellant and other sons and the non mentioning of earlier Will dated 10.04.1989.

25. The law with respect to validity of Will has been elaborately explained by Supreme Court in ***Kavita Kanwar vs. Mrs. Pamela Mehta and others, 2020 AIR Supreme Court 2614***. Reiterating the parameters laid down by Supreme Court in ***Shivakumar and others vs. Sharanabasppa and others, (2021) 11 SCC 277***, the Supreme Court held as under:-

“xxxx

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24.8. We need not multiply the references to all and other decisions cited at the Bar, which essentially proceed on the aforesaid principles while applying the same in the given set of facts and circumstances. Suffice would be to point out that in a recent decision in Civil Appeal No.6076 of 2009: *Shivakumar & Ors. Vs. Sharanabasppa & others*, decided on 24.04.2020, this Court, after traversing through the relevant decisions, has summarized the principles governing the adjudicatory process concerning proof of a Will as follows:-

1. Ordinarily, a will has to be proved like any other document; the



*test to be applied being the usual test of the satisfaction of the prudent mind. Alike the principles governing the proof of other documents, in the case of will too, the proof with mathematical accuracy is not to be insisted upon.*

*2. Since as per Section 63 of the Succession Act, a will is required to be attested, it cannot be used as evidence until at least one attesting witness has been called for the purpose of proving its execution, if there be an attesting witness alive and capable of giving evidence.*

*3. The unique feature of a will is that it speaks from the death of the testator and, therefore, the maker thereof is not available for deposing about the circumstances in which the same was executed. This introduces an element of solemnity in the decision of the question as to whether the document propounded is the last will of the testator. The initial onus, naturally, lies on the propounder but the same can be taken to have been primarily discharged on proof of the essential facts which go into the making of a will.*

*4. The case in which the execution of the will is surrounded by suspicious circumstances stands on a different footing. The presence of suspicious circumstances makes the onus heavier on the propounder and, therefore, in cases where the circumstances attendant upon the execution of the document give rise to suspicion, the propounder must remove all legitimate suspicions before the document can be accepted as the last will of the testator.*

*5. If a person challenging the will alleges fabrication or alleges fraud, undue influence, coercion et cetera in regard to the execution of the will, such pleas have to be proved by him, but even in the absence of such pleas, the very circumstances surrounding the execution of the will may give rise to the doubt or as to whether the will had indeed been executed by the testator and/or as to whether the testator was acting of his own free will. In such eventuality, it is again a part of the initial onus of the propounder to remove all reasonable doubts in the matter.*

*6. A circumstance is “suspicious” when it is not normal or is “not normally expected in a normal situation or is not expected of a normal person”. As put by this Court, the suspicious features must be “real, germane and valid” and not merely the “fantasy of the doubting mind”.*

*7. As to whether any particular feature or a set of features qualify as “suspicious” would depend on the facts and circumstances of each case. A shaky or doubtful signature; a feeble or uncertain mind of the*



*testator; an unfair disposition of property; an unjust exclusion of the legal heirs and particularly the dependents; an active or leading part in making of the will by the beneficiary thereunder et cetera are some of the circumstances which may give rise to suspicion. The circumstances above-noted are only illustrative and by no means exhaustive because there could be any circumstance or set of circumstances which may give rise to legitimate suspicion about the execution of the will. On the other hand, any of the circumstances qualifying as being suspicious could be legitimately explained by the propounder. However, such suspicion or suspicions cannot be removed by mere proof of sound and disposing state of mind of the testator and his signature coupled with the proof of attestation.*

*8. The test of satisfaction of the judicial conscience comes into operation when a document propounded as the will of the testator is surrounded by suspicious circumstance(s). While applying such test, the court would address itself to the solemn questions as to whether the testator had signed the will while being aware of its contents and after understanding the nature and effect of the dispositions in the will?*

*9. In the ultimate analysis, where the execution of a will is shrouded in suspicion, it is a matter essentially of the judicial conscience of the court and the party which sets up the will has to offer cogent and convincing explanation of the suspicious circumstances surrounding the will.*

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26. From above, it is thus settled that propounder of Will is not only required to prove execution of the Will in terms of Section 63 of the Indian Succession Act, 1925 but is also required to dispel suspicious circumstances, if any, demonstrated by the caveator. Having said that, the material question is:

*Which circumstance qualifies to be ‘suspicious’?.*

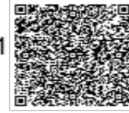
Guided by the principles laid down by Supreme Court in ***Shivakumar’s case (supra)*** and in ***Kavita Kanwar’s case (supra)***, it can be held that circumstance is ‘suspicious’ when it is not normal. That means a circumstance not expected in a normal situation or an act not



expected from a normal person. The law presumes testator to be a man of ordinary prudence. He is expected to act as such.

27. In order to prove the Will, the propounder i.e. respondent examined the scribe Subhash Chander and attesting witnesses Harbans Lal and Avinash. The scribe as well as attesting witnesses proved execution of the Will in accordance with Section 63(C) of Indian Succession Act, 1925. The Will shows that executant was well conscious of his doing. Being aware of maintaining his wife, he referred to her entitlement to draw family pension after his death. A valid reason has been assigned in the Will for excluding the appellant and other sons. The executant has excluded the sons as they got sufficient immovable property by way of Civil Court decree No.233 dated 27.05.1990 on the basis of family settlement. The contention raised by Mr. Guron that in the said decree, the subject matter was the property inherited from maternal side and not that owned and possessed by executant cannot be held to be a suspicious circumstance. Absence of reason or assigning false reason for exclusion of a natural successor may be a suspicious circumstance. However, Court cannot be asked to go into adequacy of a reason assigned to exclude natural heir from WILL. After all, WILL amounts to deviation from natural succession. There is no evidence that the beneficiary actively participated or that the executant was not in a sound disposing mind. There is nothing on record that can be said to be not normal and thus constitutes a suspicious circumstance to reverse the findings recorded by the Court below.

28. Finding no merits in the present appeal, the same is ordered to be dismissed.



29. Since the main case has been decided, pending miscellaneous application, if any, shall also stands disposed off.

**(PANKAJ JAIN)**  
**JUDGE**

**20.05.2025**

Dinesh

Whether speaking/reasoned : Yes

Whether Reportable : Yes