



CR-3022-2025

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

140-3022

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Date of Decision: 19.05.2025

**YUDHVIR SINGH THROUGH
SPECIAL POWER OF ATTORNEY MINAKSHI SINGH**

. . . .PETITIONER

Vs.

SARITA GILL AND OTHERS

. . . . RESPONDENTS

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr.Shubham Goyal, Advocate, for the petitioner.

DEEPAK GUPTA, J. (ORAL)

Petitioner herein is one of the defendants in Civil Suit titled 'Sarita Gill and another Vs. Punjab National Bank and others' (CS-15-2023), pending in the Court of Ld. Civil Judge (Sr. Divn.), Jalandhar and is aggrieved by the order dated 07.03.2025 (Annexure P5), whereby plaintiffs have been allowed to amend the plaint on an application moved under Order VII Rule 17 CPC.

2. Plaintiffs and defendants No.2 to 5 are the siblings being the children of late Dinesh Chander and late Sumitra. Suit was initially filed seeking declaration to the effect that plaintiffs are entitled to operate the locker, which is in the name of their late father and mother. Later on, application was moved under Order VI Rule 17 CPC submitting that after filing the suit, plaintiffs had come to know that their father Dinesh Chander had executed a legal and valid Will dated 17.07.2017. Plaintiffs wanted to set up the said Will and the said prayer was allowed by permitting the plaintiffs to amend the plaint.



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3. Assailing the impugned order, it is contended by the counsel that plaintiffs did not mention as to why they could not earlier challenge the Will dated 17.07.2017.

4. There is no merit in the aforesaid contention, considering the fact that in the application itself, it has been specifically mentioned that plaintiffs came to know about the Will after filing of the plaint. Dispute is amongst siblings, who are natural legal heirs of testator, whose Will is being set up and so, plaintiffs have been allowed to amend the plaint.

5. This Court does not find any illegality or perversity in the impugned order. As such, holding the present petition to be devoid of any merit, the same is hereby dismissed.

19.05.2025

Vivek

**(DEEPAK GUPTA)
JUDGE**

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>