

C. I.

डि. नं. 37/2009
दि. 17/11/2009

Opening Sheet For Revenue Appeals

IN THE COURT OF THE Sh. Gurkirt Pal Singh Deputy Commissioner cum
Collector Shahid Bhagat Singh Nagar.

Appellate side		Revenue Case No.	OF 19
District	Date of filling Pension	Whether received form Appellant in person, or by pleader of or Agent	Stamp on Pention of appeal
SBS Nagar	12-11-09	Appellant th through Sh. Dhiraj Sahaj Pal Advocate Dist t. Courts, Nawanshahr	Rs. 2/-

Mohinder Kaur @ Harjit Kaur w/o Sycha Singh H.No. 1725, Gurudwara Akali Road,
Khara Distt. Mohali Versus ...Appellant.

1. Mohan Singh son of Mahan Singh
2. Surinder Kaur d/o Mahan Singh .w/o Shiv Singh r/o V. Pharala Teh.
Nawanshahr Distt. SBS Nagar.

गुरी कौर बी / चैखी वै रि सिन Respondents.
 मयादि रेन कचयी अहिवा रेवी रेह 24/09
 सुयिब कवी नदी वै। मिशर वेव वै जी।
 वाखेग रिवा कुकुर मविच



Appeal form the order of A. C. Ist Grade Nawanshahr

..... 25th Dated 25th Day of September,
2009

aim..... To set aside the impugned order at 25-9-2009 passed by A. C. Ist
Grade Nawanshahr and to accept the appeal with costs throughout.

ounds of appeal (translated) :- attached.

Summar Nagard
can file
16/11/09
16/11/09

Grounds of appeal:

1. That the order dt. 25-9-2009 passed by the court of Sh. Birpal Singh PCS, cum Assistant Collector 1st Grade Nawanshahr is bad in the eyes of law and liable to be set aside.
2. That the ld. lower court has committed greater error by not correctly appreciating the facts on file in a lawful manner. The appellant has proved ample evidence on record to prove this fact that Surinder Singh deceased was residing with the appellant at her house since last more than 30 years and he was taken care by the appellant. Surinder Singh died at house of the appellant at Kharar. He was having Ration card and voter card at Kharar. The lawful presumption can be easily drawn of having having execution of the Will in favour of appellant.
3. That lower court has greatly erred by not relying upon the clinching and trustworthy evidence of appellant. The appellant had fully proved the execution of the will by producing the witnesses of the will and who was crossed by the counsel of objector and nothing concrete was ~~expected~~ ^{extracted} from his testimony to discard the will. So much so that even during his life time Surinder Singh had executed a general power of attorney regarding his estate in favour of the appellant with complete right of sale and mortgage etc. In spite of these facts the lower court failed to appreciate the glaring facts by passing this order which was result of grave mis-carriage of justice to the appellant.
4. That lower court erroneously magnified the minor contradiction in the evidence of the appellant to discard the will. The lower court simply discarded the will on the primice that there was contradictory regarding place of typing the will and based its findings in impugned the order on this minor discrepancy. Whereas there is positive evidence on the record to prove the execution of will.
5. That the arguments of the counsel of the claimant/appellant was not heard and referred in the impugned order.

6.

6. That the appeal is within time.

It is, therefore prayed that the order under appeal dt. 25-9-2009 may kindly be set aside and the appeal may kindly be accepted, in the interest of justice.

Submitted by:-

Appellant

Mohinder Kaur

Mohinder Kaur @ Harjit Kaur

Through: Counsel

Sh. Dhiraj Sehajpal Advocate,

Distt. Courts, Nawanshahr.

Dated: 12-11-09.

[Signature]