

Bakhtawar Singh and Others

v.

Jiwan Singh and Others

(Supreme Court Of India)

HON'BLE JUSTICE K. JAGANNATHA SHETTY HON'BLE JUSTICE O.
CHINNAPPA REDDY

Civil Appeal No. 211 Of 1973 | 31-07-1987

1. In *Kaur Singh v. Jaggar Singh* (AIR 1961 Punj 489 : 63 Punj LR 537), it was held by a Division Bench of the Punjab and Haryana High Court consisting of D. K. Mahajan and I. D. Dua, JJ., that in Punjab, a Hindu who is governed by the customary law has no absolute power to dispose of by will his ancestral immovable property. This decision has been affirmed by a Full Bench Decision of the Punjab and Haryana High Court in *Joginder Singh v. Kehar Singh* (AI 1965 Punj 407 : 67 Punj LR 700 : ILR (1965) 2 Punj 438). These decisions have held the field in Punjab for nearly a quarter of a century and we see no reason to take a different view in the present case, as at present advised. The appeal is, therefore dismissed. No costs. We are grateful to Mr. R. S. Narula, who at our request appeared before us to assist us.