

SUPREME COURT OF INDIA

Brij Mohan (Dead) by Lrs.

Vs.

Nathulal

(S. Rajendra Babu and R. C. Lahoti JJ.)

08.09.1999

ORDER

The Text below is only a summarized version of the order pronounced

SC upheld the observation of the HC that there would be no clash between the proceedings going on in the court u s 276 of the Indian Succession Act for grant of probate and arbitration proceedings as there existed an arbitration agreement and only arbitrator had to be appointed. However, the observation of the HC that once the arbitrators were appointed and the parties submitted to their jurisdiction, the question of will could also be decided was ordered to be ignored.