

ITEM NO.24

COURT NO.9

SECTION IV-C

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 21658/2026

[Arising out of impugned judgment and orders dated 04-09-2025 in MA No. 1597/2020 & 23-02-2026 in MCC No. 3817/2025 passed by the High Court of Madhya Pradesh at Gwalior]

CHANDRA DEVI DIWANI & ORS.

Petitioner(s)

VERSUS

D.R.M. NORTH CENTRAL RAILWAY & ANR.

Respondent(s)

IA No. 134924/2026 - CONDONATION OF DELAY IN FILING, IA No. 134925/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 134926/2026 - EXEMPTION FROM FILING O.T.

Date : 08-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Gaurav Jain, Adv.
Ms. Abha Jain, Adv.
Mr. Deepak Goel, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. Delay condoned.
2. The Trial Court while considering the application for grant of succession certificate under Section 372 of the Indian Succession Act, 1925 had not only directed for issuance of succession certificate in favour of the petitioner no.1 and respondent no.3 but has also directed that they will be entitled to receive half share each in the entire amount left behind by the deceased.

3. One of the issue is whether such a division of shares can be ordered by the Court considering the grant of succession certificate.

4. The above order was upheld by the First Appellate Court and the High Court had dismissed the second appeal for want of prosecution. The restoration application filed on the same day was also dismissed.

5. Issue notice, returnable within six weeks.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(NIDHI MATHUR)
COURT MASTER (NSH)