

PC 125/16

SHIV KUMAR AGARWAL VS. STATE OF NCT OF DELHI AND
ORS

13.05.2025

Present: Sh. Pankaj Kumar, counsel for petitioner with
petitioner.
None for R-1/State.
Sh. Shyamlal Sharma, counsel for R-2/Ravi Shanker
Aggarwal (through VC).
R-3/Veena Aggarwal is already ex-parte.
Sh. Saurav Tiwari, counsel for R-4/Madhu Bhartiya.

Heard. Perused.

Counsel for R-4 has filed reply to an application filed by
petitioner u/s 69 of Evidence Act r/w Order 16 rule 1(3)CPC and also
to an application u/o 16 rule 1(3) of CPC. Copy supplied.

Submissions on an application u/s 69 of Evidence Act
r/w Order 16 rule 1(3)CPC heard. Record perused.

It is not in dispute that both attesting witnesses of the
will in question have already expired.

By virtue of application in hand, petitioner is seeking
permission to examine Sh. Vinod Kumar and Sh. Hari Prakash
Vashistha to prove the execution and attestation of the will.

Keeping in view the totality of facts and circumstances,
said application is hereby allowed and disposed of accordingly.

Second application i.e. u/o 16 rule 1(3) of CPC will be
considered and disposed of after recording of evidence of Sh. Vinod
Kumar and Sh. Hari Prakash Vashistha.

Now to come up on 22.08.2025 for P.E.

(Deepak Dabas)
DJ-1(North)/Rohini Courts
Delhi/13.05.2025