

CS DJ 906/25

MATA SHANTI DEVI MANDIR TRUST Vs. SEEMA GUPTA

02.07.2026

Present: Sh. Vibhor Gupta, Nakul and Sh. Akshay Dalal, Ld.
Counsels for Plaintiff.
Sh. Sanjay Gupta and Sh. Amol Sharma, Ld.
Counsels for defendant along with defendant.

Oral arguments heard in part on the maintainability of the present suit as well as application u/o 39 rule 1 and 2 CPC.

In the present suit, one of the reliefs claimed by the plaintiff is cancellation of will dated 22.03.2019 executed by Late Sh. Jagdish Chander Arora in favour of defendant Seema Gupta.

In the written statement filed by the defendant, it has been mentioned that the said will has already been probated by the competent probate Court of DJ-05 Central District Tis Hazari Court, Delhi vide judgment dated 14.01.2025 in the probate petition no. 07/22.

The present suit has been filed by the plaintiff in the Court on 10.11.2025 i.e. after 14.01.2025.

Once the will which has been challenged by the plaintiff by way of the present suit has already been probated by a competent Court vide judgment dated 14.01.2025, oral arguments were heard regarding the maintainability of the present suit.

It is submitted by the counsel for the defendant that certified copy of the judgment of the probate court will be filed in the court within 03 weeks from today with copy to the opposite party.

Oral arguments heard in part on the maintainability of the present suit as well as application u/o 39 rule 1 and 2 CPC.

As requested by the counsels for the parties, put up

for further arguments on maintainability of suit as well as application u/o 39 rule 1 and 2 CPC for **30.07.2026**.

This court was inclined to give a short date, however, the counsels for parties did not agree and therefore, the date is given as per the convenience of counsels for both the parties.

(Dheeraj Mittal)
DJ-04/North-West
Rohini Courts/Delhi
02.07.2026