

## ARUN GOEL Vs. STATE OF NCT DELHI

03.06.2026

Present: Sh. Vijay Kumar, Ld counsel for petitioner.  
Sh. Vaibhav, Ld counsel for respondent no. 2  
& 3 along with Respondent no. 3 in person.

Two applications under Section 151 CPC regarding condonation of delay and for waiver of cost have been filed on behalf of respondent no. 2.

Ld counsel for the respondent no. 2 is directed to file separate application of waiver of cost as IA number has to generated on the miscellaneous application but due to filing of both applications in one file, only one IA number can be generated.

Copy of the said applications has been supplied.

Ld counsel for the petitioner submits that the delay in filing the written statement on behalf of respondent no. 2 may be condoned but subject to cost.

In the present case, respondent no. 2 has been served on 13.10.2025 and joint written statement on behalf of respondent no. 2 and 3 has been filed on 14.01.2026. R-3 has not been served in the present case and respondent no. 3 herself had appeared in the court on 13.01.2026. The written statement filed by respondent no. 3 is within limitation. Moreover, strict rules of CPC are not applicable on the probate petition. Considering the abovesaid facts and non-opposition of Ld counsel for the petitioner, the delay in filing the written statement on behalf of respondent no. 2 stands condoned, subject to cost of Rs. 1500/- to be paid to the petitioner.

Application filed under Section 151 CPC (IA no. 3/2026) stands disposed off accordingly.

An application under Section 379 BNSS has been filed on behalf of the Petitioner. Let the same be got registered separately and placed before the court at 4.00 Pm.

An application under order VI rule 17 CPC along with amended petition has been filed. Copy supplied.

Respondents are allowed to file reply of the said application before NDOH with advance copy to Ld counsel for the petitioner.

Put up for consideration of abovesaid application on **28.09.2026.**

(SHIV KUMAR)  
DJ-02 (W)THC:Delhi  
03.06.2026