

PC 18/22
MS ANUPAMA NAGPAL Vs. STATE

Feb 2, 2023

Present: Ms. Neeraj Singh, ld. proxy counsel for the petitioner
Ms. Arshdeep Kaur, ld. proxy counsel for resp. no. 2 &3
on behalf of Mr. Meghan, ld. counsel for resp. no.2 & 3

Objections on behalf of resp no.2 to 4 were filed on 16.07.22. However, till date no replication has been filed to the objections. Even today, some more time has been sought to file replication. The same cannot be permitted as the maximum period to file the replication is 45 days as worked out from the date of receiving the written statement. Consequently, right to file replication stands closed.

Death certificate of resp. no.4 was to be filed today. However, ld. proxy counsel appearing for resp. no. 2 to 4 prays for two weeks time to do the needful. Permitted as prayed for.

On the basis of pleadings following issues arise for consideration:

1. Whether late Smt. Tarlochan Kaur left behind a Will dated 17.10.2013 and whether the same was prepared in sound disposing mind? OPP
2. Whether the petitioner is entitled to be granted probate/ letter of administration in terms of the Will dated 17.10.2013?OPP
3. Whether the Will set up by the petitioner is a fraudulent document? OPR2 and 3
4. Relief.

It needs a brief highlight that the LRs of resp. no.4 are already on record as petitioner and resp. no. 2 and 3. Consequently, since, death of the resp. no.4 is not in dispute, petitioner is directed to file amended memo of parties.

-2-

No other issue arises or is pressed for. Parties are directed to file their respective list of witnesses within 15 days from today.

Put up again for PE on 11.05.2023.

Petitioner is directed to file affidavit of the witnesses to be examined on the next date with an advance copy of the same to be supplied to the contesting respondent, at least a week before the next date of hearing.

(Ajay Gulati-I)

ADJ-02, WEST /Feb 2, 2023