

06.10.2023

**This case has been listed before the undersigned for the first time since the undersigned has joined the present posting on 31.08.2023.**

Present: Sh. Rajeshwar Singh and Ms Neeraj Singh, Ld. Counsel for the petitioner alongwith petitioner in person  
Sh. Meghan, ld. Counsel for respondent no. 2 & 3.

An application u/u 5 of Limitation Act for condonation of delay in filing the list of witnesses, petitioner evidence and amended memo of parties alongwith list of witness, affidavits of Ms Anupama Nagpal and Sh. Manmeet Singh and amended memo of parties have been filed on 10.07.2023, the same are taken on record.

Ld. Counsel for the respondent nos. 2 & 3 submits that he has been supplied copies of affidavit today itself whereas this court had directed the petitioner to supply advance copy of the affidavits of the witnesses. Ld. Counsel for the petitioner submits that he has tried to supply the advance copy of the affidavit of witnesses and also visited the chamber of Sh. Nilesh Choudhary having Chamber no. 419A, Lawyers Chambers, Block -1, Hon'ble Delhi High Court who had filed the objections on behalf of R-2 & 3 but due to change of counsel he could not supply the same.

Ld. Counsel for the petitioner submits that the witness/petitioner has not brought her original Aadhar Card and the Pan Card in the name of the testator and due to which he is unable to tender her affidavit in evidence. He prays for an short adjournment.

Ld. Counsel for the respondents opposes the adjournment and stated that cost may be imposed upon the petitioner.

Heard. Adjournment is granted subject to cost of Rs. 2000/- to be paid to respondent nos. 2 & 3.

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Put up on 30.01.2024 for P.E.

Ld. Counsel for the petitioner is directed to ensure presence of both the witnesses on the next date of hearing and it is also made clear that no further opportunity shall be given for examination of Ms Anupama Nagpal and Sh. Manmeet Singh.

(SHIV KUMAR)  
ADJ-02, West Distt.Tis Hazari Courts  
Delhi:06.10.2023(S)