

17.10.2025

**File is taken up today on the request of ld counsel for the respondent.**

Present: Sh. Rajat Wadhwa, Ld counsel for the petitioner through VC.  
Sh. Gurpreet Singh, Ld counsel for petitioner.  
Sh. Rajesh Bhatia, Ld counsel for the respondent along with legal heirs of deceased respondents.

Today, the execution petition between the parties was also pending for recording the statement of legal heirs of deceased Late Sh. B.R. Sethi for giving NOC in favour of Smt Sudesh Sethi and Sh. Rohit Sethi.

Ms. Sonia Sethi, Ms. Aakarti Sethi, Ms. Aashima Sethi and Ms. Seema Sahni submits that they are not objecting execution of Will dated 06.07.2019 by Late Sh. B.R. Sethi in favour of Smt Sudesh Sethi and Sh. Rohit Sethi and they are not claiming any right or interest in the property of Late Sh. B.R. Sethi, which is subject matter of present petition as well as consequential benefits pertaining to the said property and they have no objection if only Smt Sudesh Sethi and Sh. Rohit Sethi are made legal heirs of deceased respondent as party in the present case.

Separate joint statement of legal heirs of deceased Sh. B.R. Sethi has been recorded in this regard.

Ld counsel for the petitioner submits that all the legal heirs of deceased Sh. BR Sethi be made party in the present case. He further submits that in the present petition, the court cannot give findings on the validity of the Will and the other legal heirs cannot

be dropped from the present petition. He further submits that as per law, attesting witness, in the appropriate proceedings i.e. probate proceedings are required to be examined for the purpose of relying upon the Will.

Put up for order on the application filed under order 22 rule 4 CPC as well as consideration of stay application on **19.11.2025.**

*Earlier date given i.e. 16.12.2025 stands cancelled.*

(SHIV KUMAR)  
DJ-02 (W)THC:Delhi  
17.10.2025