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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 354/2023
SH. SUSHIL KUMAR & ORS.Plaintiffs

Through: *Appearance not given.*

versus

VIJAY KUMAR GUPTA & ORS.Defendants
Through: Mr. Mahboob Inayati and Mr. Shoaib
khan, Advocates.

+ CS(OS) 158/2024 & I.A. 38139/2024
VIJAY KUMAR GUPTA AND ANRPlaintiffs
Through: Mr. Mahboob Inayati and Mr. Shoaib
khan, Advocates.

versus

SUSHIL KUMAR GOEL AND ORSDefendants
Through: *Appearance not given.*

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
19.05.2026

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1. The present Suits i.e., CS(OS) 354/2023 and CS(OS) 158/2024 deal with the same property and parties are also common in both the Suits.
2. The Plaintiffs in CS(OS) 354/2023 are placing reliance upon the Will dated 13.09.2019 for partition of the property, whereas the Plaintiffs in CS(OS) 158/2024 are placing reliance upon the Will dated 23.11.2017 for partition of the property.



3. This Court deems it expedient to consolidate both the Suits so that common evidence is led in both the Suits.
4. In view of the above, the following common issues are framed:
 - i. Whether the Will dated 13.09.2019 propounded by the Plaintiffs in CS(OS) 354/2023 is valid in law? (OPP)
 - ii. Whether the Will dated 23.11.2017 propounded by the Plaintiffs in CS(OS) 158/2024 is valid in law? (OPP)
 - iii. Whether the Suit Property is liable to be partitioned in terms of the Will dated 13.09.2019? (OPD)
 - iv. Whether the Suit Property is liable to be partitioned in terms of the Will dated 23.11.2017? (OPD)
 - v. Whether appropriate Court Fees have been paid in CS(OS) 354/2023? (OPP)
5. List before the Ld. Joint Registrar on 21.07.2026.
6. The Plaintiffs are directed to file the evidence by way of affidavit along with a list of witnesses at least three weeks prior to the next date of hearing before the learned Joint Registrar, to enable the Defendants to prepare its cross-examination accordingly.

SUBRAMONIUM PRASAD, J

MAY 19, 2026

S. Zakir