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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TEST.CAS. 9/1999

ANIL SACHDEVA @ KITTY

.....Petitioner

Through: Mr. Sankalp Goswami, Advocate

versus

STATE & ORS

.....Respondents

Through: Ms. Gurpreet Kaur, Advocate for R-2
& R-3

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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08.10.2024

I.A. 41676/2024 (under Section 151 CPC filed by the respondent nos. 2 and 3 seeking condonation of delay)

1. By way of the present application, the respondent nos. 2 & 3 are seeking condonation of delay in re-filing application i.e. I.A. 41675/2024.
2. For the reasons mentioned in the application, the same is allowed.
3. The application stands disposed of.

I.A. 41675/2024 (under Section 151 CPC filed by the respondent nos. 2 and 3 seeking permission to withdraw the present TEST CASE)

4. By way of the present application, the respondent nos. 2 & 3 seek to withdraw their objections filed *vide* diary no. 17916 under the cover of Index dated 23.07.2001.
5. The application is supported by the affidavits of respondent nos.2&3. That apart, the said respondents are present in Court and state that they wish to withdraw their objections. They further submit that they have no



objection in case probate is granted by this Court in respect of the Will dated 13.04.1998 of late Amrit Lal Sachdeva propounded by the petitioner.

6. In view of the above, the objections filed by the respondent nos.2 & 3 are dismissed as withdrawn.

7. The application stands disposed of.

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8. Since there is no contest in the present case, list the matter before the learned Joint Registrar for fixing the date for petitioner's evidence on 05.11.2024.

9. Next date already fixed i.e. 29.10.2024 stands cancelled.

OCTOBER 8, 2024
'rs'

VIKAS MAHAJAN, J