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

+ **CS(OS) 237/2021**

SUNITA SHARMA

.....Plaintiff

Through: Ms.Sonia A. Menon, Adv.

versus

MEENA SHARMA & ORS.

.....Defendants

Through: Mr. Chirag Madan, Mr. G. Sai Krishna
Kumar, Mr. Rahul Agarwal and Mr.
Ronit Bose, Advs. for D-1 and D-3
Mr. S.S. Parihar, Mr. Subhash Chand
and Mr.Nakul Kasana, Advs. for D-2
Mr. Kamal Mehta, Mr. Deepak Sahni
and Ms. Renuka Sahni, Advs. for D-4
to D-6.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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02.09.2024

I.A. 38015/2024 (under Order XXXIX Rule 2A read with Section 151 CPC)

I.A. 38016/2024 (seeking exemption from filing certified copies of the order dated 05.05.2021)

1. The learned counsel appearing on behalf of the plaintiff seeks to withdraw the present applications with liberty to file fresh ones.

2. The applications are dismissed as withdrawn with liberty as aforesaid.

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3. On the basis of pleadings, the following issues are framed:



- (i) Whether the suit properties are liable to be partitioned amongst the parties, if yes, to what share? OPP
 - (ii) Whether the suit has not been properly valued for the purpose of Court fee? OPD
 - (iii) Whether Will dated 07.07.2014 propounded by the defendant nos. 4 to 6 is the last and validly executed Will of late Smt. Sarla Sharma? OPD 4 to 6
 - (iv) Whether Will dated 23.02.2021 propounded by the defendant nos. 4 to 6 is the last and validly executed Will of late Sh. Ramesh Dutt Sharma? OPD 4 to 6
 - (v) Relief.
2. No other issue arise or pressed by the parties.
 3. Let the parties file list of witnesses within a period of 15 days.
 4. The plaintiff to file affidavit(s) of witness(es) by way of examination-in-chief within a period of four weeks from the filing of list of witnesses.
 5. List before the learned Joint Registrar for fixing the date of plaintiffs' evidence, on 12.11.2024.

VIKAS MAHAJAN, J

SEPTEMBER 2, 2024
N.S.ASWAL