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

+ CS(OS) 364/2019 & I.As. 13823/2019, 13824/2019,
14999/2019, 15000/2019, 6/2020, 11215/2020, 11284/2020,
6416/2022

GEETA MEHTA & ANR. Plaintiffs
Through: Mr. Sujeet Beniwal and Mr. Pranav
Mehta, Advocates.

versus

ANIL MEHTA & ANR. Defendants
Through: D-1 & D-2 in person (Ph.9969298002,
e-mail: anilmehta2003@yahoo.com;
Ph. 9650990264, e-mail:
renusood_2010@yahoo.com).

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER
25.07.2022

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I.A. 13824/2019

1. This is an application for rejection of plaint on behalf of the defendants on the ground that the plaintiff No.1 is named as one of the conspirators with respect to murder of her husband, who was the son of the testator. In this regard, FIR No.299/2011, Crime Branch (South Delhi) is pending before the Chief Metropolitan Magistrate, South District, Saket Courts in CR. Case No. 2033536/2016. I am informed that the matter is now listed for hearing on 28.07.2022.



2. A perusal of Section 25 of the Hindu Succession Act, 1956 shows that a person who commits murder or abets the commission of murder shall be disqualified from inheriting the property of the person murdered, or any other property in furtherance of the succession to which he or she committed or abetted the commission of the murder.

3. Attention of this Court has been drawn to the cancellation report of the year 2014. However, it is the case of the defendants that a Protest Petition has been filed which is listed for hearing on 28.07.2022.

4. In view of the Section 25 of Hindu Succession Act, 1956, to await the decision of the criminal proceedings pending against the plaintiff No. 1, list on 28.09.2022.

MINI PUSHKARNA, J

JULY 25, 2022

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