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

+ **CS(OS) 569/2021 & I.A. 14185/2021**

SONA DEVIPlaintiff

Through: Ms. Vatsala Chauhan, Adv.

versus

KISHAN DEVI & ORS.Defendants

Through: Ms. Jyoti Verma and Munish Chhoker, Adv. for LR of D-2 and Attorneyof D-4.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **21.04.2025**

I.A. 1339/2025 (filed on behalf of the plaintiff for amendment of the plaint)

1. Heard learned counsel appearing for the parties.
2. The instant is a civil suit filed by the plaintiff seeking partition and injunction.
3. The defendants by way of their written statement have taken a plea of execution of purported Will dated 04.09.2000 by late Shri Dhani Ram in favour of defendant Nos.1 to 4.
4. Learned counsel appearing for the plaintiff then contends that the aforesaid is a Will is forged and fabricated and, therefore, the suit needs to be amended by allowing the plaintiff to incorporate necessary pleadings in the suit.



5. The prayer made by the plaintiff is opposed by the defendants by filing the reply.

6. The Court, however, on the perusal of the pleadings and material available on record finds that the aforesaid amendment is necessary to avoid the multiplicity of the litigation.

7. In the interest of justice and to decide the issues holistically, it is necessary to allow the plaintiff to incorporate the amendment. However, the rights of the defendants to file the written statement and to controvert the submissions, if any, shall be reserved.

8. In view of the aforesaid, the instant application stands allowed.

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9. The plaintiff is directed to re-file the amended file specifically highlighting the paragraphs which are incorporated pursuant to this order.

10. Let a copy of the amended plaint be also supplied to learned counsel appearing for the plaintiff.

11. Learned counsel appearing for the defendants shall be at liberty to file written statement to the amendment plaint within 30 days from the date of receipt of the copy of the amended plaint.

12. Let the pleadings, thereafter, be completed and the matter be listed before the Concerned Joint Registrar on 28.05.2025.

APRIL 21, 2025/P/@M

PURUSHAINDR KUMAR KAURAV, J

Click here to check corrigendum, if any