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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CM(M) 1065/2025, CM APPL. 35729/2025 & CM APPL. 35730/2025
ISHWAR SINGH ANR.Petitioner

Through: Mr. Dushyan S., Advocate along with
petitioner.

versus

PREM CHAND GOEL & ORS.Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

% **22.08.2025**

1. Petitioners are defending a suit and are aggrieved by order dated 24.01.2025 whereby application seeking amendment in the plaint has been allowed.
2. Learned counsel for petitioners submits that the petitioners had come with the specific assertion and their entire case was based on a document which was labeled as "*Trust Deed*" and now the plaintiffs are trying to wriggle out of the admission made by him in his plaint and trying to project, as if the abovesaid document, is not a *Trust Deed* but a *Will*.
3. It is argued that a careful perusal of the abovesaid document would clearly indicate that it is not a *Will*.
4. Moreover, according to petitioners, even if the document is to be treated as a *Will*, the Court, keeping in mind the nature of the suit, cannot adjudicate with respect to the *Will* as no probate is being sought in the case in hand.
5. Issue notice to respondents through all permissible modes as also through counsel a, returnable on 14.10.2025.

MANOJ JAIN, J

AUGUST 22, 2025/sw/JS