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

+ **CS(OS) 478/2019, I.A. 12723/2019**

DEV RAJ CHAUDHRY

..... Plaintiff

Through: Mr. Ashesh Lal, Ms. Rachna Lal, Mr.
Raghav Parwatiyar, Ms. Shikha
Walia, Advocates

versus

RAJ KUMAR & ORS.

..... Defendants

Through: Mr. Bharat Garg and Mr. Aakash
Mittal, Advocates

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.05.2024

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1. On the basis of the pleadings, the following issues arise:
 - a) Whether the Will dated 03.08.1987 of Late Balwanti Devi is the genuine and her last final Will? OPD 1
 - b) Whether Late Balwanti Devi during her lifetime executed the Will dated 26.11.2011 as alleged by the plaintiff? OPP
 - c) Whether the Probate Court has exclusive jurisdiction to adjudicate on the validity of the 2 Wills? OPD-1
 - d) Whether the Suit properties are liable to be partitioned? If yes, in what share and by whom?
 - e) Whether the Suit properties are liable to be divided by metes and bounds?
 - f) Whether the parties are entitled to Preliminary Decree of Partition?



- g) Whether the parties are entitled to Final Decree of Partition?
 - h) Whether the parties are liable for Rendition of Accounts?
 - i) Whether the present Suit is not maintainable in view of the earlier Civil Suit CS(OS)1066/2017 filed before the learned ADJ, New Delhi disposed of vide Order dated 05.01.2019? OPD-1
 - j) Relief.
- 2. No other issue arises or is pressed.
 - 3. List of witnesses be filed within 15 days.
 - 4. List before the learned Joint Registrar for recording of evidence on 02.08.2024.

NEENA BANSAL KRISHNA, J

MAY 9, 2024/PT