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

+ TEST.CAS. 16/2008

COL. SURESH CHAND & ANR.

..... Petitioner

Through: Ms. Mala Goel, Adv. for P-1
Petitioner no.2 in person.

versus

STATE & ANR.

..... Respondent

Through: Ms. Mahima Bahl, Adv. for LR's of
R-2

CORAM:

**SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER

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19.03.2019

I.A.No. 3947/2019 under Section 151 CPC filed on behalf of the LR's of respondent no.2 for fixing date before the Hon'ble Court allowing the handwriting expert to take photographs of the signatures, thumb impressions of late Sh. Yoghshwar Dayal

It is submitted by counsel for LR's of the respondent no.2 that vide order dated 26/02/2019, the Handwriting Expert was permitted to take the photographs of the record on or before 20/03/2019. It is further submitted by counsel for LR's of the respondent no.2 that by way of present application, the LR's of the respondent no.2 have prayed for fixing date for taking the photographs of the record by the handwriting expert in

compliance of the order dated 26/02/2019. It is further submitted by counsel for LR of the respondent no.2 that the documents as mentioned in the application are lying in sealed cover envelope and the concerned official be directed to de-seal the documents and the same be again re-sealed after taking the photographs by the handwriting expert.

It is submitted by counsel for the petitioner no.1 and the petitioner no.2 that they do not wish to file reply to the aforesaid application. It is further submitted that the registered WILL dated 22/06/2005, Codicil dated 07/01/2006 and letter dated 09/01/2006 are disputed documents.

Arguments heard on the aforesaid application of LR of the respondent no.2. Perused the material available on record. Vide order dated 26/02/2019 passed by the Hon'ble Court, the handwriting expert was permitted to take the photographs of the record on or before 20/03/2019. Considering the facts, circumstances and in view of the submissions made, aforesaid application of LR of the respondent no.2 is allowed. The handwriting expert is permitted to take the photographs of the record on 20/03/2019 at 2:00pm.

AR (O) is directed to de-seal the aforesaid documents on 20/03/2019 at 2:00pm in the presence of parties/counsel for the parties.

After taking photographs of the documents by the handwriting expert, AR (O) is further directed to re-seal the said documents in the presence of parties/counsel for the parties.

VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

MARCH 19, 2019/nk