



2026:DHC:1593

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

+ **TEST.CAS. 78/2023**

MISS SUMAN KAPOOR

.....Petitioner

Through: Ms. Nandini Sahni, Adv. with Pavani
Goel with Shashank Sharama, Adv.

versus

STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Sahil Gupta, Adv. for Relatives,
Mr. Adam Glasstris & Ms. Hope
Glasstris (Through VC)

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% **13.09.2024**

1. Learned Counsel for the petitioner states that a list of near relations of Testatrix has been filed at page 15 in the documents. She states that the relative at serial nos. 2 and 3 have already filed their no objection affidavit, confirming that they admit the valid execution of the Will dated 30.04.2003.
2. She states that the relative mentioned at serial no. 1, Mr. Sanjay Kapoor, has been duly served and has acknowledged receipt of service on 31.01.2024 in his response email addressed to the counsel on record, Mr. Sachin Bandooni, and copied to the other relatives listed at serial numbers 2 and 3.
3. The affidavit of service with respect to Sh. Sanjay Kapoor is available on record and has been filed vide diary no. 1609455/2024.
4. She states however, none appears on behalf Mr. Sanjay Kapoor, relative no. 1 and he therefore may be proceeded ex-parte. She also relies



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upon order dated 08.08.2024 of the learned Joint Registrar (J) in this regard.

5. Accordingly, in view of the aforesaid facts, this Court is satisfied that Mr Sanjay Kapoor has been duly notified about the pendency of the present proceedings. However, none appears on behalf of Mr. Sanjay Kapoor. Accordingly, Mr. Sanjay Kapoor-relative no. 1 is hereby proceeded ex-parte.

6. Learned counsel for the petitioner has proposed the following issues:

- (i) Whether the Will dated 30.04.2003 duly registered on 01.05.2003 executed by Late Mrs. Raj Kapoor propounded by the petitioner is her last genuine will and testament? OPP
- (ii) Whether the will dated 30.04.2023 by late Mrs. Raj Kapoor was validly executed/got registered by her in accordance with law? OPP
- (iii) Relief and costs.

7. No other issue is pressed by the petitioner.

8. She states that list of witnesses will be filed within one (1) week and the evidence affidavit of the petitioner and the attesting witness will be filed within two (2) weeks thereafter.

9. List before the learned Joint Registrar (J) for fixing the dates for recording of evidence on 14.10.2024

MANMEET PRITAM SINGH ARORA, J

SEPTEMBER 13, 2024/hp/AKT

Click here to check corrigendum, if any