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

+ **TEST.CAS. 98/2022 with I.A. 20559/2022 and I.A. 44178/2024**

SMT. SUNITA JAIN

.....Petitioner

Through: Mr. Preet Pal Singh, Ms. Tanupreet Kaur, Mr. Sahil Bhardwaj and Ms. Medha Navami, Advocates.

versus

STATE AND ORS

.....Respondents

Through: Mr. Shekhar Prit Jha and Ms. Tamanna Swami, Advocates for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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28.10.2025

I.A. 44178/2024 (for condonation of delay)

1. This application has been filed on behalf of the petitioner seeking condonation of 61 days' delay in filing reply to the objections of the respondent no.2.

2. For the reasons stated, the application is allowed and the delay in filing reply to the objections stands condoned subject to payment of Rs.6,000/- (Rs. Six Thousand Only) as costs.

3. To be noted, costs have been paid by the petitioner to the respondent no.2 in Court today.

I.A.20559/2022 (for condonation of delay)

4. This application has been filed by the petitioner seeking condonation of 28 days' delay in refiling the petition.



5. For the reasons stated, the delay in refiling the petition stands condoned.

6. The application stands disposed of.

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7. Since the reply to objections has been taken on record, pleadings *qua* respondent no.2 are complete.

8. Right of the remaining respondents to file reply/objections has already been closed by the Joint Registrar *vide* orders dated 27th July, 2023 and 20th November, 2023.

9. The matter is ripe for framing of issues. Based on the pleadings of the parties, the following issues are framed:

- i. Whether the registered Will dated 5th September, 2014 is the last and final testament of the Late Shri Padam Chand Jain?
OPP
- ii. Whether the Testator was of the sound mind at the time of execution of the will?
OPR
- iii. Any other relief?

10. Parties shall file their respective list of witnesses within three (3) weeks from today.

11. The plaintiff shall file evidence of its witnesses by way of affidavits within four (4) weeks from today.

12. List before the Joint Registrar for fixing the dates of trial on 10th December, 2025.

AMIT BANSAL, J

OCTOBER 28, 2025

Vivek/-