



\$~3

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

+ **CS(OS) 868/2014**

DEVI DAYAL GARG

..... Plaintiff

Through

Mr. Sahkeel Sarwal Wani, Advocate

versus

RAMA GOYAL & ORS

..... Defendants

Through

Ms. Charu Sangwan and Mr. Anmol
Jain, Advocates for D-1

Ms. Uma Aggarwal and Mr. Pulkit
Aggarwal, Advocates for D-2

CORAM:

SH. RAJESH KUMAR SINGH (DHJS), JOINT REGISTRAR

ORDER

% **18.01.2017**

IA No. 5609/2014

Learned counsel for the parties submit that the IA may be listed before Hon'ble Court.

IA be listed before Hon'ble Court on 16th February, 2017 for direction.

CS(OS) 868/2014

Learned counsel for the parties have carried out admission / denial of documents. Learned counsel for plaintiff submits that defendants have denied the documents of the plaintiff but they have not taken any stand in respect of the bank statement. Learned counsel for defendants submits that they cannot admit or deny the bank statement. Learned counsel for plaintiff submits that he may be permitted to file the certified copy of the bank statement. Allowed. Plaintiff may file copy of the bank statement duly certified under Section 2A of the Bankers Book Evidence Act within two weeks. Copy of the certified bank statement be also supplied to learned



counsel for defendants.

Learned counsel for plaintiff submits that defendant No.1 has not placed on record copy of the family settlement. Only typed copy has been filed. The original Will has also not been produced by defendant No.1 for inspection. Learned counsel for defendant No.1 submits that he has brought the original family settlement which is required by the defendants and he may be permitted to file photocopy thereof. Allowed. Copy be filed within two weeks. Copies be also supplied to learned counsel for the other parties. As regards the Will, learned counsel for defendant No.1 submits that defendant No.1 does not have the original Will and copy of the Will was provided to her in some other proceedings. Plaintiff is denying both documents of defendant No.1.

Defendant No.2 has not filed any documents. Defendant No.2 has admitted the Will, copy of which has been filed by defendant No.1. Learned counsel for defendant No.2 submits that the original Will is in possession of defendant No.2 and it will be produced during recording of evidence as and when directed / required.

Admission / denial of documents stands concluded.

Matter be listed before Hon'ble Court on 16th February, 2017 for direction.

RAJESH KUMAR SINGH (DHJS)
JOINT REGISTRAR

JANUARY 18, 2017
ms