



\$~70

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

+ **TEST.CAS. 37/2012**

RAJEEV KSHETRAPAL

.....Petitioner

Through: Mr. Rajender Agarwal, Advocate.

versus

STATE & ORS.

.....Respondents

Through: Ms. Pavitra Kaur and Mr. Shiven
Asthana, Advocates for the State.
Mr. Rahul Malhotra and Mr. Chirag
Goyal, Advocates.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

21.01.2025

%

I.A. 49905/2024

1. This application has been filed by the Respondent No.3 seeking correction of the Order dated 10.12.2024.
2. Order dated 10.12.2024 reads as under:

“I.A. 11964/2023

1. This application under Order VIII Rule 1A(3) CPC has been filed on behalf of the Respondent No.3 for placing on record additional document vide Diary No.884921 dated 17.05.2023.

2. Learned Counsel for Respondent No.3 states that he is only pressing for permission to bring on record a Will of Late Mr. A. N. Kshetrapal dated 09.06.1988.

3. It is stated that only photocopy of the said document has been filed. This Court is not observing anything on the evidentiary value of the document.

4. Other than putting the blame on the previous



Counsel, learned Counsel for the Respondent No.3 has given no reason as to why the documents was not produced at the earlier stage. In the interest of justice and in view of the fact that the filing of document will not prejudice any of the parties. Subject to the cost of Rs.25,000/- to be paid by the Respondent No.3 to the Legal Aid, let the will of Late Mr. A. N. Kshetrapal dated 09.06.1988 be filed by the Respondent.

5. The application is disposed of.

6. It is made clear that this Court has not made any observations either on the evidentiary value or the correctness or otherwise of the will of Late Mr. A. N. Kshetrapal dated 09.06.1988.

TEST.CAS. 37/2012

7. List before the Joint Registrar on 23.01.2025.”

3. It is stated by the learned Counsel for the Respondent No.3 that in the said Order a typographical error has crept in inasmuch as in paragraphs No.2, 4 & 6 of the said Order instead of the word/term “will/will of late Sh. A.N. Kshetrapal dated 09.06.1988” it should be read as “Medical records of the testator Late Mrs. Kanta Kshetrapal”.

4. In view of the above, the Order dated 10.12.2024 stands corrected to the extent that the word/term “will/will of late Sh. A.N. Kshetrapal dated 09.06.1988” be read as “Medical records of the testator Late Mrs. Kanta Kshetrapal”.

5. The application is disposed of.

SUBRAMONIUM PRASAD, J

JANUARY 21, 2025

Rahul