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

+ **CM(M) 3999/2024**

VIJAY KUMAR JAIN

.....Petitioner

Through: Mr. Shekhar Prit Jha, Adv

versus

PADAM CHAND JAIN (D) THR LRS & ANR.Respondents

Through: Mr. Preet Pal Singh, Ms. Tanupreet
Kaur, Ms. Akanksha Singh & Mr.
Yash Saini, Advs.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **16.12.2024**

CM APPL. 71506/2024 (Stay)

1. The present petitioner and his father, Sh Padam Chand Jain are stated to be co-purchasers of the suit property.
2. During his lifetime, Sh Padam Chand Jain gifted 5% of his undivided share in the suit property to his daughter, Smt Sunita Jain.
3. Sh Padam Chand Jain filed a suit for possession, declaration, permanent injunction and mesne profits against Sh Tejveer Malik without making the petitioner as a party.
4. Sh Padam Chand Jain expired in the year 2019 leaving behind four daughters and son including the petitioner herein and Smt Sunita Jain.
5. Smt Sunita Jain filed an application to bring on record the legal heirs of deceased Sh Padam Chand Jain. She sought to be substituted as a sole legal heir of the deceased on the basis of the allegedly registered Will dated



05.09.2014 regarding which she has also separately filed petition for grant of probate.

6. The learned Trial Court substituted Smt Sunita Jain as the sole legal heir on the basis of the aforesaid Will.

7. Learned counsel for respondent No.1 submits that in the previously filed partition suit, the petitioner had given his no objection for substitution of the respondent No.1 on the basis of same registered Will.

8. The relevant documents with regard to such statement etc are not part of the digital file.

9. Learned counsel for the petitioner seeks permission to file the same. Let such documents be filed on record before the next date of hearing.

10. List on 11.03.2025.

RAVINDER DUDEJA, J

DECEMBER 16, 2024

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