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

+ **RFA 40/2026, CM APPL. 2477/2026**

**PRAVEEN KAPILA**

.....Appellant

Through: Mr. RK Tikku, Sr. Advocate with  
Mr. Bhagat Singh, Advocate

versus

**NAVIN SOI**

.....Respondent

Through: *Appearance not given*

**CORAM:**

**HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA**

**ORDER**

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**15.01.2026**

**CM APPL. 2476/2026 & CM APPL. 2478/2026**

1. Allowed, subject to all just exceptions.
2. The Applications stand disposed of.

**RFA 40/2026, CM APPL. 2477/2026**

3. Regular First Appeal under Section 96 of the Code of Civil Procedure, 1908 (CPC) has been filed on behalf of the Appellant against the judgment dated 08.10.2025 whereby the Suit for partition filed by the Appellant has been dismissed.
4. On advance Notice, learned Counsel for the Respondent has appeared.
5. Learned Senior Counsel on behalf of the Appellant has contended that even though the genuineness of the Will dated 11.03.2010 is not disputed, but subject matter of one property was subsequently the Hauz Khas property was exchanged with the sister of the interstater. The implication of Section 152 Indian Succession Act has not been considered and the impugned



judgment is liable to be set aside.

6. Considering the submissions made and the contentions raised in the present Appeal, the parties are restrained from creating any third party rights in the Suit property.

7. Written submissions be filed by both the parties within 08 weeks with copy to the opposite Counsel.

8. E-Trial Court Record be summoned on or before the next date of hearing.

9. List on 19.08.2026.

**NEENA BANSAL KRISHNA, J**

**JANUARY 15, 2026**

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