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

+ CS(OS) 1155/2015 & I.A.Nos.8755/2015, 1104/2017

SURRINDERJEET SINGH AHLUWALIA & ANR Plaintiffs

Through Mr.Viraj R.Datar with Mr.Chetan
Lokur, Advocates.

versus

JITENDARJIT SINGH AHLUWALIA & ANR Defendants

Through Mr.Ajay Bhargava with Mr.Aseem
Chaturvedi, Advocates for D-1.
Ms.Kanika Agnihotri, Advocate for
D-2.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

% **23.10.2018**

Learned counsel for defendant no.2 states that she has filed an application under Section 151 CPC for placing on record a copy of the Will dated 20th September, 2009 executed by deceased Mrs.Mohani Ahluwalia – mother of the parties.

It is pertinent to mention that on 04th September, 2018, this Court had directed the defendant nos.1 and 2 to be personally present in Court on 05th September, 2018. The said direction was passed as the admitted position, after completion of pleadings, was that neither of the parents of the parties had left behind a Will.

On 05th September, 2018, the defendant nos.1 and 2 had stated that the last wish of their mother was that the suit property should not devolve upon the plaintiffs. In response to a pointed query by this



Court as to how the defendants could resist devolvment of the suit property upon the plaintiffs in the absence of a Will, the said defendants had admitted that no Will had been executed by their mother.

This Court is recording the aforesaid facts as the learned counsel for defendant no.2 now states that the deceased mother has left behind a Will.

It is made clear that in the event the Will in question is found to be forged, this Court would take action against the defendants under Section 467 IPC. However, learned counsel for the defendants no.2 states that she has instructions to insist that the Will now sought to be produced is a genuine Will.

List on 11th December, 2018.

MANMOHAN, J

OCTOBER 23, 2018
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