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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ CS(OS) 557/2016 & I.A. 13576/2016, I.A. 14144/2023, I.A.
8884/2024, I.A. 38363/2024

MS SITA SINGH ALIAS SITA JACQUELINE ALICE ALBA
SINGH OF SARILA ALIAS SITA DE SARILAPlaintiff

Through: Mr. Harsh Pal, Advocate for Mr.
Avneesh Garg, Advocate.

versus

SAMAR SINGH SARILA & ANRDefendants
Through: Ms. Kirti Mewar, Advocate for
Defendant Nos.1 and 2.

+ TEST.CAS. 35/2014 & I.A. 14508/2023, I.A. 8883/2024, I.A.
38397/2024

RAJA BAHADUR SAMAR SINGH SARILAPetitioner

Through: Ms. Kirti Mewar, Advocate

versus

STATE & ANRRespondents
Through: Mr. Harsh Pal, Advocate for Mr.
Avneesh Garg, Advocate for R-2.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
16.01.2025

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1. The present suit being CS(OS) 557/2016 has been filed by the
Plaintiff for partition of the properties of late Raja Narendra Singh Sarila.



2. Material on record discloses that late Raja Narendra Singh Sarila had executed a Will on 23.09.2009 bequeathing his properties only to Defendant No.1 herein. It is stated that Defendant No.1 has filed a Testamentary Case being TEST.CAS. 35/2014 seeking grant of letter of administration with the registered Will dated 24.09.2009 executed by late Raja Narendra Singh Sarila to him. The said Testamentary Case is fixed for recording of evidence on 22.01.2025 before the learned Joint Registrar.
3. In the opinion of this Court, unless the Testamentary Case being TEST.CAS. 35/2014 is not decided, there is no point in proceeding further with the instant suit being CS(OS) 557/2016.
4. List before the learned Joint Registrar on 22.01.2025.
5. The learned Joint Registrar is requested to proceed with the recording of evidence in Testamentary Case being TEST.CAS. 35/2014.

SUBRAMONIUM PRASAD, J

JANUARY 16, 2025

RJ