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

+ TEST.CAS. 37/2017

MRS. MEGHA KAKKAR NEE SETH

..... Petitioner

Through: Mr. Rajeshwer Kr. Gupta, Adv. (mobile
no. 9873576770)

versus

STATE

..... Respondent

Through: Mr. Anubhav Tyagi and Mr. Randhir
Kumar, Advs. for R-2 and 3 (mobile no.
9810049589)

CORAM:

**MS. TWINKLE WADHWA (DHJS), JOINT REGISTRAR
(JUDICIAL)**

**Case received from the Court of Sh. Rakesh Pandit, J.R. (Judl.)
who is stated to be on leave today**

ORDER

% **07.02.2020**

**IA no. 1772/2020 (application u/O 16 R 1, 2 & 6 r/w section 151
CPC seeking directions for summoning and attendance of
witnesses)**

The present is an application for summoning of three witness on behalf of the respondent. However, as per procedure it is respondent himself who has to step in the witness box first and thereafter other witnesses to be summoned.

The summoning of third witness is objected by Ld. Counsel for the plaintiff thereby submitting that Sh. Subhash Chander Pasrija has

already been examined as witness to the Will on behalf of the plaintiff and in the cross-examination, defendant has already put questions to this witness regarding the attestation of the defendant's Will. Hence, it is submitted that the summoning of this witness cannot be permitted.

This issue along with the application is to be decided on the next date.

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It is submitted by Ld. Counsel for the respondent that they have already filed the evidence affidavit of Mr. Vikas Seth and Mr. Vivek Seth. It is admitted by Ld. Counsel for the petitioner that he has already received the copies.

In the circumstances, put up for examination and cross-examination of Mr. Vikas Seth/ Mr. Vivek Seth before the concerned JR on 19.02.2020, the date already fixed.

**TWINKLE WADHWA (DHJS)
JOINT REGISTRAR (JUDICIAL)**

FEBRUARY 07, 2020/NR