

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) OF 2026
(ARISING OUT OF SLP (CIVIL) NO(S) OF 2026)
DIARY NO(S) . 3912 OF 2026

KANCHANA RAI

APPELLANT (S)

VERSUS

GEETA SHARMA & ORS.

RESPONDENT (S)

W I T H

CIVIL APPEAL NO(S) OF 2026
(ARISING OUT OF SLP (CIVIL) NO(S) OF 2026)
DIARY NO(S) . 8979 OF 2026

AND

CIVIL APPEAL NO(S) OF 2026
(ARISING OUT OF SLP (CIVIL) NO(S) OF 2026)
DIARY NO(S) . 8844 OF 2026

O R D E R

1. Delay condoned.
2. Leave granted.
3. We have heard learned senior counsel on behalf of the appellants as well as learned senior counsel representing the contesting respondents, who are on caveat.
4. Upon consideration of the matters in its entirety, we affirm the view taken by the High Court so far as restoration of C.S. (O.S. No.203/2022) is concerned. However, we deem it appropriate to modify paragraphs 70 and 71 of the impugned judgment(s) to the following limited extent:
 - (i) The probate proceedings (Testamentary Case No.1 of 2022) and C.S. (O.S. No.203/2022) shall be entrusted to the same learned

Single Judge as per the prerogative of the Hon'ble Chief Justice of the High Court.

(ii) Both the cases shall be dealt with by the same judge one after another, but there shall be no consolidation of both cases.

(iii) The plaintiff in C.S. (O.S. No.203/2022) shall be at liberty to pursue the application under Order 18 Rule 16 CPC. The plaintiff may proceed to bring the evidence on record in the suit; however, no final adjudication of any issue in the said suit shall take place till the probate proceedings are finally decided.

5. It will be in the interest of justice for both sides if the learned Single Judge may expedite the proceedings in the probate case.

6. The appeals stand disposed of accordingly.

.....CJI
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(VIPUL M. PANCHOLI)

NEW DELHI;
FEBRUARY 20, 2026.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSSPECIAL LEAVE PETITION (CIVIL) Diary No(s). 3912/2026

[Arising out of impugned judgment and order dated 16-09-2025 in RFA(OS) No. 10/2023 passed by the High Court of Delhi at New Delhi]

KANCHANA RAI

Petitioner(s)

VERSUS

GEETA SHARMA & ORS.

Respondent(s)

(IA No. 45481/2026 - CONDONATION OF DELAY IN FILING)

WITH

ITEM NO. 32

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 8979/2026

(IA No. 52991/2026 - CONDONATION OF DELAY IN FILING)

ITEM NO. 36

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 8844/2026

(IA No. 55119/2026 - CONDONATION OF DELAY IN FILING)

Date : 20-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE VIPUL M. PANCHOLIFor Petitioner(s) : Mr. Mukul Rohatgi, Sr. Adv.
Mr. D. Abhinav Rao, AOR
Ms. Megha Shaw, Adv.
Mr. Abhisek Das, Adv.
Mr. Aniket Singh, Adv.Mr. Narender Hooda, Sr. Adv.
Mr. D. Abhinav Rao, AOR
Mr. Yuvraj Nandal, Adv.
Ms. Pallvi Hooda, Adv.
Ms. Megha Shaw, Adv.
Mr. Abhisek Das, Adv.
Mr. Aniket Singh, Adv.Mr. Dama Seshadri Naidu, Sr. Adv.
Mr. B. Shravanth Shanker, AORFor Respondent(s) : Mr. Anshul Rai, Adv.
Mr. S.K. Pandey, Adv.

Mr. Chandrashekhar A. Chakalabbi, Adv.
Mr. Ojaswa Pathak, Adv.
Ms. Mallika Ranjan, Adv.
Mr. Raunaq Singh, Adv.
M/s Dharmaprabhas Law Associates, AOR

Mr. Vikas Singh, Sr. Adv.
Mr. Varun Singh, Adv.
Ms. Deepeika Kalia, Adv.
Ms. Alankriti Dwivedi, Adv.
Mr. Sudeep Chandra, Adv.
Ms. Khushi, Adv.
Mr. Mudit Gupta, AOR

UPON hearing the counsel the Court made the following

O R D E R

1. Delay condoned.
2. Leave granted.
3. The appeals stand disposed of in terms of the signed order.
4. Pending application(s), if any, shall stand closed.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(Signed order is placed on the file)