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

+ **TEST.CAS. 112/2014**

SUNEETA KAMAT AND ANR

..... Petitioner

Through: Ms. Mukti Chaudhary, Adv.

versus

STATE & ORS

..... Respondent

Through: Mr. Manish Makhija, Adv. for R-2, 3
& 4

CORAM:

**SH. VIJAY SHANKAR (DHJS), JOINT REGISTRAR
(JUDICIAL)**

ORDER
% **03.02.2020**

**I.A.No.1203/2020 under Section 151 CPC filed on behalf of the
respondent seeking return of original filed on 23/04/2015**

Counsel for the petitioners accepts the notice of the aforesaid application and submitted that she has no objection, if the aforesaid application of the respondent no.2 is allowed and original WILL is returned to the respondent no.2.

It is submitted by counsel for the respondent no.2 to 4 that vide order dated 23/03/2015, the respondent no.2 was directed to file the original WILL dated 25/09/2007 executed by late Smt. Geeta Jaiswar and the aforesaid original WILL was filed by the respondent no.2 in

the present case. It is further submitted by counsel for the respondent no.2 to 4 that by way of present application, the respondent no.2 is praying for return of original WILL dated 25/09/2007 and the same be returned to the respondent no.2.

It is further submitted by counsel for the parties that vide order dated 03/05/2017 passed by the Hon'ble Court, the present matter was disposed of and there is no stay or appeal pending in respect of the present case.

Arguments heard on the aforesaid application of the respondent no.2. Perused the material available on record. Considering the facts, circumstances and in view of the submissions made, aforesaid application of the respondent no.2 is allowed subject to filing of the certified copy of the original WILL. The document i.e., original WILL as mentioned in the present application be returned to the respondent no.2 as per law/rules. AR (O) shall ensure that certified copy of the aforesaid document is placed on record.

It is submitted by counsel for the respondent no.2 to 4 that respondent no.2 will be available in the last week of February, 2020.

Respondent no.2 is directed to appear before AR (O) on 28/02/2020 at 2:30pm for the same.

IA stands disposed of.

VIJAY SHANKAR (DHJS)
JOINT REGISTRAR (JUDICIAL)

FEBRUARY 03, 2020/nk