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

+ CM(M) 601/2015 & CM No.11537/2015

RITA A GAUBA

..... Petitioner

Through: Mr. Vishal Singh, Ms.Jyoti Kataria
Bajaj, Advocates.

versus

STATE & ORS

..... Respondents

Through: Mr. R.K. Sahni, Advocate for
respondents No.2, 4 and 7.

CORAM:

HON'BLE MR. JUSTICE J.R. MIDHA

ORDER

% **31.05.2018**

1. The petitioner has challenged the order dated 14th January, 2015 whereby the learned Trial Court allowed the respondents' application and directed paras 1(a) to (y) of the rejoinder to be struck off from the record as the petitioner had not sought any amendment of the petition and the respondents had no opportunity to rebut.
2. Learned counsel for the petitioner submits that the learned Trial Court has dismissed the probate petition of the petitioner on 28th May, 2018. In that view of the matter, it would be appropriate to dispose of this petition with liberty to the petitioner to incorporate the challenge to the impugned order dated 14th January, 2015 in the appeal, in case the petitioner chooses to file an appeal against the dismissal of the probate petition.
3. This petition is disposed of with the aforesaid liberty to petitioner. The pending application is disposed of.

4. Copy of this order be given *dasti* to counsel for the parties under the signature of the Court Master.

J.R. MIDHA, J.

MAY 31, 2018

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