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

+ **CM(M) 212/2025**

RAJEEV KUMAR JAIN & ANR.Petitioners

Through: Mr. Tejasv Guglani, Advocate.

versus

**LATE GULSHAN KUMAR JAIN (SINCE DECEASED THROUGH
LRS) & ANR.**Respondents

Through: Mr. Ravi Dev Sharma, Advocate.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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03.02.2025

CM APPL. 6537/2025, CM APPL. 6538/2025 (exemptions)

Allowed, subject to all just exceptions.

These applications stand disposed of.

CM(M) 212/2025 & CM APPL. 6536/2025 (stay)

1. Petitioners have filed this petition impugning the order dated 04.01.2025 passed by the learned trial Court.
2. The main issue raised by the petitioners is that before proceeding with the respondents' will, the Court must first decide whether the properties in question are ancestral or self-acquired.
3. Petitioners filed an application on 02.01.2025 to decide the nature of properties before allowing the wills to be proved.
4. A perusal of the trial Court order dated 04.01.2025 reveals that notice of the application has been given to the respondents. The remaining



evidence of the respondents has been recorded and the matter has been listed for arguments.

5. Since evidence has already been led by the respondents and case is fixed for final arguments, present petition has become infructuous.

6. At this stage, learned counsel for petitioners seeks permission to withdraw the petition.

7. The statement made by learned counsel for petitioners is taken on record and the petition is dismissed as withdrawn.

RAVINDER DUDEJA, J

FEBRUARY 3, 2025/vp/ia