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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of Decision: 26th March, 2025**
+ CM(M) 556/2025 & CM APPL. 17474-17475/2025
NAVEEN CHIKARA & ANR.Petitioner

Through: Mr. A.K. Singla, Sr. Advocate with
Mr. Abhimanyu, Mr. Abhishek Singh
and Mr. A. Mittal, Advocates.

versus

STATE & ORS.Respondent

Through: Ms. Rachita Garg, Mr. Agam Rajput
and Ms. Preeti, Advocates for R-1.
Mr. Arvind Kr. Gupta, Mr.
Abhiesumat Gupta and Mr. Arun
Bhattacharya, Advocates for R-2-5.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioners herein filed a probate petition in the year 2013.
2. Admittedly, the case is already at the stage of final arguments.
3. The petitioners are, however, aggrieved by order dated 10.03.2025 whereby they have been denied to place on record additional documents.
4. Learned counsel for respondents also appears on advance notice.
5. The situation in the present case is little peculiar in the sense that the Will in question, which was allegedly executed on 03.09.2012 was attested by two witnesses and one of such attesting witness is, unfortunately, no more alive and the other, as per the petitioners, has turned hostile.
6. During the course of arguments, learned Senior Counsel for petitioners, on instructions, submitted that the petitioners restrict their request to mere grant of permission to place on record one previously executed registered *Will* and *General Power of Attorney*, both dated 27.05.1996.



7. The abovesaid *Will* is also by the same testator.
8. It is contended that they would, merely, place on record the certified copies of the abovesaid two documents and would not seek any direction even to send those documents for any forensic comparison.
9. All in all, they merely seek permission to place on record these documents.
10. Learned counsel for respondents submits that, without prejudice to their rights and contentions, he would have no objection if the abovesaid limited prayer is acceded to.
11. The case is reportedly fixed today itself at 2:00 P.M before the learned Trial Court for arguments.
12. In view of the above, the present petition is allowed with permission to petitioner to place on record certified copies of the abovesaid two documents within two weeks from today.
13. It is clarified that the permission has, merely, been granted to place on record the certified copies as aforesaid and as admitted by learned Senior Counsel for petitioners, they would not examine any witness in relation to the abovesaid documents and would not make any prayer before the learned Trial Court for sending those documents to any forensic authority for comparison.
14. Petition stands disposed of in aforesaid terms.
15. It is clarified that this Court has not made any observation with respect to the merit of the case as such.

(MANOJ JAIN)
JUDGE

MARCH 26, 2025/ss/js