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

I.A. 30541/2025, I.A. 30542/2025 & I.A. 30543/2025 and REVIEW
PET. 611/2025

IN

+ TEST.CAS. 66/2023

HAKAM RAI TAKKAR

.....Petitioner

Through: Mr. Hemant Chaudhri and Mr. Ranjan
Vyas, Advocates.

versus

STATE (GOVT. OF N.C.T. OF DELHI)

& ORS

.....Respondents

Through: Ms. Pavitra Kaur, Shreya Mishra
Advocates for R-1.
Mr. Vasu Goyal, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

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08.12.2025

**I.A. 30542/2025 & I.A. 30543/2025 (seeking exemption from filing
typed/original and certified copies etc.)**

1. Allowed, subject to the petitioner filing legible/original/certified copies of documents within four (4) weeks from today.
2. The applications stand disposed of.

REVIEW PET. 611/2025 & I.A. 30541/2025 (seeking stay)

3. By way of the present review petition, the applicant seeks a review of the judgment passed by this Court on 3rd November, 2025 in terms of which probate of the Will dated 23rd December 2020 of late Smt. Rabinder Kaur was granted in favour of the petitioner.
4. This petition has been filed on behalf of one Mr. Rakesh



Kumar/applicant, who is stated to be the family friend and doctor of the testatrix.

5. It is stated that there is a subsequent Will of the Testatrix dated 22nd November, 2021 in favour of the review petitioner/applicant in respect of which the applicant has already filed probate proceedings, being Probate Petition No.15/2025, which is pending before the District Court, Saket.

6. Mr. Hemant Chaudhary, counsel appearing on advance notice on behalf of the petitioner in the Probate Case questions the maintainability of the present review petition. He submits that the correct remedy would be to file a petition under Section 263 of the Indian Succession Act, 1925.

7. Counsel for the review petitioner/applicant seeks time to examine the position.

8. Be that as it may, counsel for the petitioner submits that till the next date of hearing, the petitioner shall not deal with the following properties which are the subject matter of the Probate Petition No.15/2025 filed by the review petitioner.



1. **PLOT NO.117, SAINIK FARMS, ADMEASURING APPROX 2200 SQ. YDS., with a house servants quarters, generator room power house, water tank and a garage, when is being used by me for my personal residence PLOT NO.117-A admeasuring 1320 sq. Yds., & PLOT NO.117-B, ADMEASURING APPROX 1320 SQ. YDS Situated in Khasra No. 298, with a house built thereon, having 6 bedrooms kitchen, lobby, 7 bathrooms, drawing room, dining room & generator room etc. Currently teased out of rent.**
2. **Share in plot no.M-524, Sainik Farm, Devli, Delhi-110062, admeasuring 1 Bigha 4 Biswas.**
3. **Flat in Raheja's Shilas-T2-064, Sector-109, Gurugram, Haryana, admeasuring 1302 sq. Ft.**
4. **Flat/Dwelling No.Q-002 (GFC) Cat A-1/A-II/A-III/Cat-B with podium/basement/Stilts/Open Parking No.40, in Jal Vayu Tower, Greater Mohali (Kharar).**
5. **Flat in API's Sushant Serene residency no.203, 2nd Floor, Tower T2D (T5D), at GH-01, Sector ETA-II, Greater Noida-201308, UP.**



9. Re-notify on 14th January, 2026.

DECEMBER 8, 2025

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AMIT BANSAL, J