



2025:DHC:7365



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

% ***Date of Decision: 25th, August, 2025***

+ CM(M) 1370/2025 & CM APPL. 44926-44927/2025
BRAHAM SINGH AND ANR

.....Petitioner

Through: Mr. Deepak Khosla and Mr. Humayun
Khan, Advocates.

versus

RAMBIR @ RAMVIR SINGH AND ORS

.....Respondent

Through: Appearance not given.

CORAM:

HON'BLE MR. JUSTICE MANOJ JAIN

J U D G M E N T (oral)

1. Petitioner is defending a Probate Petition filed by his brother and is aggrieved by order dated 08.05.2025 whereby the learned Probate Court has permitted his brother to first examine the attesting witnesses with respect to the *Will* in question.
2. According to learned counsel for petitioner herein, the learned Probate Court should not have permitted such examination, before the concerned propounder had entered into witness box.
3. Evidently, the case relates to grant of probate and the *Will*, as per the statutory provision, need to be proved by the attesting witness only.
4. Moreover, such permission granted by the learned Probate Court is, certainly, not going to prejudice the case of the objector in any manner whatsoever and, therefore, there is no illegality or perversity in the impugned



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order, necessitating any intervention.

5. The present petition is accordingly dismissed *in limine*.
6. The pending applications also stand disposed of in aforesaid terms.

(MANOJ JAIN)
JUDGE

AUGUST 25, 2025/ss/shs