



\$~64

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2311/2025, CM APPL. 74677/2025, 74678/2025 & 74676/2025**

SUNIL DUTT BAKSHI

.....Petitioner

Through: Mr. Karan Luthra, advocate

versus

AVTAR KISHAN BAKSHI & ORS.

.....Respondents

Through: None

CORAM:

HON'BLE MR. JUSTICE GIRISH KATHPALIA

ORDER

%

28.11.2025

1. Petitioner/plaintiff has assailed order dated 03.09.2025 of the learned trial court. It is contended by the learned counsel for petitioner/plaintiff that by way of the impugned order, the learned trial court did not take any decision on a part of the application dealing with orders dated 13.08.2024 and 23.10.2024. Further, the impugned order denied the opportunity to the petitioner/plaintiff for forensic examination of the Will propounded by the defendant through CFSL. It also appears that application of the petitioner/plaintiff under Order XI CPC for production of the original Will was disposed of, directing that the original Will would be produced at the appropriate stage. Learned counsel for petitioner/plaintiff, in all fairness, admits that before the trial court through applications and before this court through this petition, multiple issues have been raised, which ought to have been raised by way of separate applications/petitions.



2. After part submissions, learned counsel for petitioner/plaintiff, on instructions of his client present in the courtroom, seeks permission to withdraw this petition with liberty to file an application before the trial court to decide the issues related to orders dated 13.08.2024 and 23.10.2024, which were left undecided in the impugned order; and also with liberty to file fresh application before the learned trial court seeking directions for production of the original Will and examination thereof by private forensic experts of petitioner instead of CFSL.

3. Accordingly, the petition and the accompanying applications are dismissed as withdrawn with liberty as sought.

GIRISH KATHPALIA, J

NOVEMBER 28, 2025/as