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

% ***Date of Decision: 06<sup>th</sup> August, 2025***

+ **CM(M) 2456/2024, CM APPL. 25279/2024 & CM APPL. 25280/2024**

**ANIL KUMAR SINCE DECEASED THROUGH LRS NEHA**

.....Petitioner

Through: Mr. Vaibhav Kush and Mr. Nitin  
Kumar, Advocates

versus

**BABITA SINGH DECEASED THROUGH LR SHRI MAHA  
SINGH**

.....Respondent

Through: Mr. Ashim Vachher, Senior Advocate  
with Mr. Vinayak Uniyal and Ms.  
Saiba M. Rajpal, Advocates

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. After hearing some arguments, learned Senior Counsel for respondent submits, on instructions, that while reserving their rights and contentions, they would have no objection if the application moved by the petitioner (defendant before the learned Trial Court) on 06.03.2024 seeking to prove photocopies of medical documents of Smt. Sumitra Devi is allowed.
2. He, therefore, submits that respondent would have no objection if the present petition is allowed.
3. In view of the abovesaid statement made by learned Senior Counsel for the respondents and also while keeping in mind the overall facts of the case, the present petition is allowed in the aforesaid terms.
4. The defendant would be at liberty to move appropriate application within ten days from today before the learned Trial Court specifying therein



as to which particular witness he wants to examine for the purpose of proving medical documents of late Smt. Sumitra Devi.

5. It is, however, made clear that defendant would be entitled to only one effective opportunity in this regard.

6. Learned Trial Court would consider the aforesaid application on the date fixed i.e. 03.09.2025 and would give a very short date for the purposes of examination of the concerned witness in this regard.

7. Petition stands disposed of in aforesaid terms.

8. Pending applications also stand disposed of in aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**AUGUST 6, 2025/dr/js**