

* IN THE HIGH COURT OF DELHI AT NEW DELHI

W.P. (C) No.1659/2010

Date of Decision: November 15, 2010

SATINDER CHEEMA Petitioner
through Mr. Rajiv Nayar, Senior Advocate with
Ms. Diya Kapur, Advocate

versus

DELHI DEVELOPMENT AUTHORITY Respondent
through Mr. Rajiv Bansal, Advocate with
Mr. Udit Gupta, Advocate

CORAM:
HON'BLE MISS JUSTICE REKHA SHARMA

1. Whether the reporters of local papers may be allowed to see the judgment? No
2. To be referred to the reporter or not? No
3. Whether the judgment should be reported in the 'Digest'? No

REKHA SHARMA, J. (ORAL)

The grievance of the petitioner is that despite her having obtained probate of the Will dated January 07, 1986 where-under a flat No.SFS-5, First Floor, Sector-B, Pocket-7, Vasant Kunj, New Delhi has been bequeathed to her by the testator, the respondent-DDA is not mutating the property in her name.

It is submitted by learned Senior counsel for the petitioner that it was only on a letter received from the office of the Delhi Development Authority which is at page 146 of the paper-book that the petitioner had applied for the probate of the Will dated January 07, 1986 which

was granted to her on March 31, 2008 and yet the respondent-DDA has not mutated the property in the name of the petitioner.

Having regard to the fact that the petitioner has obtained probate of the aforementioned Will, I see no reason why the respondent-DDA should not mutate the property in the name of the petitioner. Hence, I direct the respondent-DDA to mutate the property in question in the name of the petitioner in terms of the probate order dated March 31, 2008 within four weeks from now. The petitioner shall, however, furnish an indemnity bond to the respondent-DDA that in case her former husband raises any objection to the mutation, she will take care of the same.

With this direction, the writ-petition is disposed of.

REKHA SHARMA, J.

NOVEMBER 15, 2010
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