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IN THE HIGH COURT OF DELHI AT NEW DELHI

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TEST.CAS. 40/2015

ANITA JAIN

..... Petitioner

Through: Mr. Brij Bhushan Gupta, Senior
Advocate with Mr Apoorv Gupta,
Advocate.

versus

STATE & ANR

..... Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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09.08.2017

I.A. 8977/2017 in Test.Cas.40/2015

Present application has been filed on behalf of the petitioner under Sections 151 and 152 CPC.

Mr. Brij Bhushan Gupta, learned senior counsel for applicant-petitioner states that in the second last line of the judgment and order dated 04th February, 2016 due to a typographical mistake it has been noted that the letter of administration be issued in favour of the petitioner (without the Will annexed) in respect of Will of Shri Anil Kumar Jain in respect of properties mentioned in Schedule A (Ex.P2). He further states that letter of administration has been issued without the Will annexed, more so when Shri Anil Kumar Jain had died intestate.

Consequently, it is ordered that the words “in respect of Will of Shri Anil Kumar Jain” in the second last sentence/third last typed line of judgment and order dated 04th February, 2016 shall be substituted as under:-

“.....Accordingly, the petition is allowed. The letters of administration be issued in favour of the petitioner (without the Will annexed) in respect of properties mentioned in Schedule A (Ex.P2). In the facts and circumstances of the case, the petitioner is exempted from furnishing surety bonds.”

With the aforesaid observation, present application is allowed.

MANMOHAN, J

AUGUST 09, 2017

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