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

+ **TEST.CAS. 3/2009**

SHRI RAVI KANT SHARMA

..... Petitioner

Represented by: **Mr. Rajesh Kumar, Advocate.**

versus

STATE & OTHERS

..... Respondent

Represented by: **Mr. Pawas Agarwal and Mr. Vinayak Batta, Advocates for respondent No. 2.**

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

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26.09.2017

I.A. No. 11394/2017 (under Section 152 read with Section 151 CPC)

1. Notice.
2. Learned counsel for Respondent No. 2 accepts notice.
3. By this application the petitioner seeks modification of order dated 17th August, 2017. The testamentary case was disposed of by this Court vide order dated 13th January, 2017 and the probate of the Will dated 21st December, 1994 was granted in favour of the petitioner on complying with the formalities without requiring him to furnish a surety for the administrative bond.
4. The petitioner came for modification of the said order for the reason the valuation of property situated at Village Moolaheera, District Gurgaon, Haryana was difficult to obtain, thus he sought that the probate of the **TEST.CAS. 3/2009**

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Will be confined to property No. J-92, Reserve Bank Enclave, Paschim Vihar, New Delhi-110063. However, vide order dated 17th August, 2017 allowing the application to the petitioner in the order it was also noted that the petitioner would furnish a surety. The said condition is however waived, as per the main order dated 13th July, 2017.

5. Application is accordingly disposed of.

MUKTA GUPTA, J.

SEPTEMBER 26, 2017

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