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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ TEST.CAS. 27/2014
MANJULA HAZARIKA Petitioner
Through Ms.Tatini Basu, Adv.
versus
THE STATE AND OTHERS Respondents
Through Mr.Pankaj Sinha and Mr.Ritik
Kumar, Advs. for R1.

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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08.12.2017

This petition is filed under Section 278 of the Indian Succession Act, 1925 for grant of letters of administration in respect of properties of late Shri Nripendra Ch. Hazarika. The petitioner is the wife of the deceased Shri Nripendra Ch. Hazarika. Respondent Nos.2 to 4 are the children of the petitioner and late Shri Nripendra Ch. Hazarika. The respondent Nos.2 to 4 have filed their no objections. Letters of administration are sought in respect of two flats details of which are mentioned below:-

1. Flat No. C - 4, Third Floor with terrace/ roof thereupon, measuring approx. 50 Sq. Yds., with a scooter parking in the property bearing No. B - 121, erected on a plot of land measuring 200 Sq. Yds., Khasra No. 171/2, Village: Saidulajab, (now known as Paryvaran Vilhar), Tehsil: Mehrauli, New Delhi.
2. Flat No. D - 4, Third Floor with terrace/ roof thereupon, measuring approx. 50 Sq. Yds., with a scooter parking in the property bearing No. B - 121, erected on a plot of land measuring 200 Sq. Yds.,

Khasra No. 171/2, Village: Saidulajab, (now known as Paryvaran Vilhar), Tehsil: Mehrauli, New Delhi.

The petitioner has also filed an affidavit by way of evidence. The affidavit was tendered in evidence on 30.05.2016 as Ex.PW1/A. The petitioner has identified her signatures on the petition. She also exhibited documents PW1/2 to PW1/14. The counsel appearing for the respondent Nos.2 to 4 stated that they do not wish to lead any evidence.

SDM, Mahrauli has not filed any valuation report in respect of the property stated in the Schedule I despite several reminders.

Learned counsel for the respondent No.1 is present. He, however, states that he has no instructions as he is a proxy counsel.

Keeping in view the fact that there is no opposition to the present petition and the concerned respondents have given their no objections, I grant letters of administration in favour of the petitioner for the two properties mentioned above subject to the petitioner furnishing an appropriate bond and one surety. The petitioner shall also pay the court fees based on the valuation.

The respondent No.1 is given final opportunity to place on record the valuation within one month from today. In case, the valuation is not filed by respondent No.1, the petitioner may file court fees based on circle rates. Petition stands disposed of.

JAYANT NATH, J.

DECEMBER 08, 2017/rk