

\$~12.

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

+ TEST.CAS. 20/2015
INDU AGGARWAL

..... Petitioner

Through: Mr.IJS Gulati, Advocate

versus

THE STATE(N.C.T OF DELHI)

..... Respondent

Through:

CORAM:
HON'BLE MR. JUSTICE VIPIN SANGHI

ORDER
12.04.2017

%

The petitioner has preferred the present petition under the Indian Succession Act for grant of Letters of Administration in respect of the estate of the deceased late Shri Pardeep Kumar Aggarwal-her husband. Though the petition has been styled as one under Section 276 of the Indian Succession Act, the same is, in fact, one under Section 278 of the Indian Succession Act since the deceased late Shri Pardeep Kumar Aggarwal is said to have died intestate.

The petitioner has placed on record the original death certificate issued by the Government of Rajasthan certifying the demise of Shri Pardeep Kumar Aggarwal son of Shri Mitthan Lal Aggarwal on 26.11.2014 at Govind Garh, Distt. Jaipur, Rajasthan.

The petitioner has also placed on record the attested copies of the death certificate (Ex.PW1/1), passport of the deceased (Ex.PW1/2), Aadhar Card of the deceased (Ex.PW1/3), Election Card of the deceased (Ex.PW1/4), Election Card of the petitioner (Ex.PW1/5) and her own passport (Ex.PW1/6). The name of the father of the deceased and the name of the petitioner as the wife of the deceased stand duly recorded in Ex.PW1/2, Ex.PW1/3, and Ex.PW1/4. Similarly, Ex.PW1/5 and Ex.PW1/6 reflect the name of the husband of the petitioner as Pardeep Aggarwal/Pardeep Kumar Aggarwal.

The deceased is stated to have died intestate leaving behind the petitioner and three class I heirs, namely, two daughters, Ms. Shalini Mittal and Ms. Ashu Aggarwal, apart from the father of the deceased Shri Mitthan Lal Gupta. The said Class I heirs have filed on record their No Objections through their counsel Hans Raj on 26.08.2015. The vakalatnama of Mr. Hans Raj, Advocate, is also placed on record. No objections of the said LRs of the deceased are supported by the respective affidavits of Shalini Mittal, Ashu Aggarwal and Mitthan Lal Gupta, all attested on 15.07.2015.

The citations were directed to be published in 'Statesman' (English Edition) and 'Navbharat Times' (Hindi Edition) vide order dated 23.03.2015. The same have been published as recorded by the order dated 20.07.2015. The citations as published in 'Statesman' (English Edition) and 'Navbharat Times' (Hindi Edition) have also been perused by this court.

Despite the publication of the said citations, no objections have been filed by any other party to the present petition.

As per the Schedule 'B', there are three immovable properties, particulars whereof, are as follows:

- “1. Property Plot bearing 5, Professor Colony Ward No. 2, Nawal Garh, Rajasthan.
2. Property bearing No. 10, Professor Colony, Ward No. 2, Nawal Garh, Rajasthan.
3. Plot No. K-90, Narayan Vihar, Village Asarpura, Tehsil Sanganer, Jaipur, Rajasthan.”

The valuation reports have been received in respect of the said properties which are placed on record. There is no reason for this Court not to accept the same. Accordingly, they are accepted.

Since there is no contest to this petition, the same is allowed. Letters of Administration is granted in favour of the petitioner in respect of the aforesaid properties which are detailed in Schedule ‘B’ to the petition. The petitioner shall, accordingly, furnish indemnity bonds as well as the Court fees whereupon the Letters of Administration be drawn up.

The petition stands disposed of.

VIPIN SANGHI, J

APRIL 12, 2017

sl