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

+ TEST.CAS. 68/2016

MRS SHAKUNTLA GUPTA

..... Petitioner

Through: Mr Abhishek Aggarwal, Advocate.

versus

STATE & ANR

..... Respondents

Through

**CORAM:**

**HON'BLE MR. JUSTICE VIBHU BAKHRU**

**ORDER**

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**02.03.2017**

1. The petitioner has filed the present petition under Section 278 of the Indian Succession Act, 1925 seeking grant of Letters of Administration in respect of the shares owned by Late Mr Prakash Chand Gupta (Husband of the petitioner herein and hereafter referred to as “the Deceased”), who had died intestate on 05.10.1997.
2. The petitioner has filed an affidavit affirming the averments made in the petition. The petitioner states that the Deceased died, intestate, on 05.10.1997. The petitioner has also placed on record a copy of the Death Certificate of the Deceased.
3. It is stated that the Deceased is survived by his wife (the petitioner herein) and Mr Deepak Gupta (son the Deceased and impleaded as a respondent No. 2 in the present petition), as his class I legal heirs.

4. The petitioner has further placed on record a letter dated 27.01.2017 by M/s TSR Darashaw Limited to establish that the Deceased was the registered holder of 7700 equity shares of the company Tata Power Company Limited.

5. Respondent No. 2 has also filed an Affidavit stating that he has no objection, to the present petition being allowed.

6. I have the learned counsel for the petitioner.

7. The petitioner has duly proved that the Deceased expired on 05.10.1997 by producing the Death Certificate of the Deceased. The petitioner has also duly proved that Deceased had expired intestate and left only the petitioner and respondent No.2 as his class- I legal heirs.

8. The petitioner has also filed an affidavit stating the valuation of 7700 equity shares of Tata Power Company Limited held by the Deceased as on 27.01.2017

9. Although Citation was published in the newspapers “Veer Arjun” (Hindi) and “The Statesman” (English) - both Delhi Editions dated 08.12.2016, no objection has been received against the present petition. Accordingly, there is no legal impediment in granting the Letters of Administration to the petitioner.

10. Accordingly, the Letters of Administration, in respect of 7700 shares held by Late Mr Prakash Chand Gupta (the Deceased) of Tata Power Company Limited, as per Share Certificate No.00005571, be granted in favor of the petitioner on furnishing of the requisite court fee, subject to the

satisfaction of the Registrar General of this Court. The requirement of the furnishing an administrative bond and surety are dispensed with.

11. The petition is disposed of.

**VIBHU BAKHRU, J**

**MARCH 02, 2017**

**RK**