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

+ **FAO 81/2017**

VINOD TANEJA

..... Appellant

Through: Mr. Manish Kohli and Mr. Pranav Joshi, Advocates with appellant in person.

versus

STATE

..... Respondent

Through: Mr. Sanjoy Ghose, ASC with Mr. Nishank Tyagi, Advocate

CORAM:

HON'BLE MR. JUSTICE VALMIKI J. MEHTA

ORDER

% **20.04.2017**

1. Though this appeal is not pressed, it is clarified that nothing contained in today's order is in any manner a reflection on merits of the issue as to the appellant being the sole legal heir of Sh. Jagdish Chander Taneja. The appeal is not pressed so that appellant should not be burdened with any cost towards payment of court fee inasmuch as 3% of the court fee is payable for grant of the letters of administration. I may also note that in Delhi there is no compulsion to seek probate or letters of administration and seeking of letters of administration in probate is only mandatory in Mumbai,

Kolkatta and Madras or for properties situated in Mumbai, Kolkatta and Madras if Wills for such properties are executed outside Mumabi, Kolkatta and Madras. This is the law in view of the provisions of Sections 63 and 213 of the Indian Succession Act, 1925.

2. Appellant is always at liberty to file such other proceedings as required in law in case there is requirement of any body or authority etc that appellant be declared as the sole legal heir of the deceased Jagdish Chander Taneja.

3. The appeal is accordingly disposed of in terms of the aforesaid observations.

VALMIKI J. MEHTA, J

APRIL 20, 2017

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