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

+ TEST.CAS. 5/2018

GEETA SURI AND ORS

..... Petitioners

Through

Mr.Sanjeev Sahay and Mr.Himanshu
Kapoor, Advs.

versus

STATE

..... Respondent

Through

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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18.01.2019

1. On 01.10.2018, this court had noted that none is appearing for the State despite service. No valuation of the property was also filed by the State.
2. The petitioner based on the circle rate paid necessary court fees of Rs.3.09 lakhs. The petitioner was directed to get the property valued from a valuer.
3. The learned counsel for the petitioner states that necessary valuation have been got done through an authorised valuer Sh.Ashok Kumar Garg who has valued the property which is less than the circle rate.
4. The said report has been placed on record. It is stated that the circle rate is at Rs.3,13,54,750/-. However, as per the valuation got done by the petitioner, the total value of the property is at Rs.2.50 crores.
5. Let the registry accept the court fees based on the circle rate, which is Rs.3,13,54,750/-.
6. This petition is filed under section 278 of the Indian Succession Act,

1925 seeking Letter of Administration in favour of the petitioners with regard to the Estate of deceased late Sh.Madan Lal Suri mentioned in Schedule A.

7. It is the case of the petitioners that late Sh.Madan Lal Suri was residing in Delhi. His family comprises of petitioner No.1 his wife, petitioner No.2 and 3, sons. It is pleaded that on his death on 22.05.2015 the property was devolved upon the above noted legal heirs. It is also pleaded that petitioners being the only legal heirs are entitled to grant of Letter of Administration in respect of the estate of deceased Sh.Madan Lal Suri.

8. Petition is supported by the affidavits of petitioner No.1-Smt.Geeta Suri and petitioner No.3-Mr.Amit Suri. The Schedule comprises of only one property, namely, F-27, C, Kalkaji, New Delhi- 110019. It is also pleaded that there is no impediment to grant Letter of Administration in respect of the estate of deceased Sh.Madan Lal Suri.

9. The petition is accordingly allowed. Letter of Administration is granted in favour of the petitioners in respect of the estate of Late Sh.Madan Lal Suri as described in Schedule A subject to furnishing of one surety, personal bond and on payment of necessary court fees based on the circle rate.

10. The petition stands disposed of.

JAYANT NATH, J.

JANUARY 18, 2019/v