

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 20th December, 2024

FOR COMPLIANCE :

66. TP/2379/2024
[Original]
(ECHCBM02196802023)

P. C. : Ms. Swati Mathkar i/b Shirish Mathkar Ld. Advocate
for the Petitioners

1. Ld. Advocate for the petitioner has relied upon the decision of the Hon'ble Delhi High Court in case of **Rajesh Sinha & Ors. Vs. State [2015(151) DRJ 434]**.
2. She argued that the petitioners are surviving legal heirs of the deceased and therefore there are no other legal heirs, whose interest are to be protected by executing an administration Bond. She has also invited the attention towards the order passed in the TP No. 2918/2023 passed by the Hon'ble Court which says that, in such cases where all the surviving legal heirs of the deceased are petitioners before the Court and the right or interest of no other legal heir is required to be protected, the department shall not insist on furnishing Administration Bond.
3. In the present case, the Will was probated in year 1950. There are certain provisions, by which amount is bequeathed to the legatees. Petitioners are silent about these bequeaths and have not made any statement about the manner of securing the interest of these beneficiaries.
4. Furthermore, it is also submitted that as per order dated 23.08.2024, the Hon'ble Court has dispensed with all office objections raised by the office. However, in the said Order, the Hon'ble Court has referred three objections raised by the office. Hence, office to seek directions from the Hon'ble Court by following procedure in this regard.
5. S.O. to 10.01.2025.

20.12.2024

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