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

+ **TEST.CAS. 45/2024**

ARJUN SINGH BAWA

.....Petitioner

Through: **Ms. Aastha Agnihotri, Advocate.**

versus

STATE & ORS.

.....Respondents

Through: **Ms. Palak Gupta, Advocate for the State.**

Mr. Sanchit Sherawat, Advocate for Respondent Nos.2 to 4

Mohd. Ranu, Advocate for Respondent No.5

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

30.09.2024

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1. Petitioner has approached this Court seeking probate of last drawn Will & Testament dated 26.07.2019 of Late Kanwar Sukh Deo Singh (*hereinafter referred as the Testator*).

2. It is stated that the Petitioner was appointed as the sole executor by the Testator of his last drawn Will & Testament dated 26.07.2019. It is stated that the Testator passed away on 02.10.2022.

3. Notice in the present Petition was issued on 31.05.2024. No Objection Affidavits have been filed by Respondents No.2 to 5. Affidavits of Witnesses No.1 & 2, who were present at the time of signing of the Will in question, have also been filed wherein both the Witnesses have stated that Will & Testament dated 26.07.2019 was executed in their presence on



26.07.2019.

4. There is no factual dispute between the parties, the case presents a clear and uncontested case for the grant of a Certificate of Probate in respect of the Last Will and Testament dated 26.07.2019 of Late Kanwar Sukh Deo.

5. In view of the absence of any disputed facts or issues, this Court deems it appropriate to allow the Petitioner's prayer.

6. Therefore, the Court hereby allows the present Petition and grants a Certificate of Probate in respect of the Last Will and Testament dated 26.07.2019 of Late Kanwar Sukh Deo Singh, with respect to his properties/assets set out in the Affidavit/Form of Valuation of Assets hereto.

7. The Certificate of Probate shall be issued to the petitioner upon payment of the requisite court fees.

8. The Petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 30, 2024

Rahul