



\$~78

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 3197/2024 & CM APPL. 47903/2024**
RAJA JASSAL

.....Petitioner
Through: Mr. Abijit Mishra with Ms. Payal Bahl
and Mr. Saurav Singh, Advocates with
petitioner in person.

versus

STATE NCT OF DELHI & ORS.
.....Respondent
Through: Ms. Rachita Garg with Ms. Preeti
Chauhan, Advocates.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER
21.08.2024

%

1. Petitioner had filed a petition seeking grant of “Letters of Administration” in favour of petitioner No. 1-Mr. Raja Jassal.
2. There was no contest in the matter and resultantly, the petition was allowed and the “Letters of Administration” of the estate of deceased was directed to be granted in favour of the petitioner No.1, subject to his furnishing of administration bond with surety in terms of Section 291 of the Indian Succession Act, 1925.
3. The grievance of the petitioners is very simple and precise. It is contended that since petitioner No. 1 is a sole beneficiary, he should be exempted from furnishing any such Administration-cum-Surety Bond.

CM(M) 3197/2024

1



4. In this regard strong reliance has been placed on *Richa Pardeshi vs State*, 2012 SCC OnLine Del 2978 and *Sanjay Suri vs State*, 2003 SCC OnLine Del 966 .
5. Learned counsel for respondent- State appears on advance notice.
6. It is quite obvious that such point was never agitated by the petitioner before the learned Trial Court and while disposing of the petition in favour of the petitioner No. 1, the learned Trial Court has granted requisite time to petitioner No. 1 to do the needful.
7. Thereafter, no application seeking exemption from submitting the Administration-cum-Surety Bond has been filed before the learned Trial Court and the petitioner No. 1 has rather directly rushed to this Court.
8. During course of arguments, learned counsel for petitioner states that he may be permitted to withdraw the present petition with liberty to file appropriate application in this regard before the learned Trial Court seeking exemption from submission of such Administration-cum-Surety Bond.
9. In view of the above, the present petition is disposed as not pressed.
10. Liberty, as prayed for, is granted.
11. It is, however, made clear that this Court has not expressed any final opinion about the aforesaid submission of petitioner and it will be up to the learned Trial Court to decide the proposed application in accordance with law.

MANOJ JAIN, J

AUGUST 21, 2024/SW

CM(M) 3197/2024

2