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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CM(M) 2504/2024 & CM APPL. 26669-26670/2024**
REETA GANDHIPetitioner

Through: Mr. Rishabh Kapur and Mr. Tanmay
Gupta, Advocates

versus

VEENA BAKSHI & ORS.Respondent
Through: Mr. Rahul Shukla, Mr. Bachita Baruah
Shukla and Mr. Ramandeep Singh,
Advocates

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

23.04.2025

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1. Petitioner is aggrieved by order dated 23.02.2024.
2. Respondents filed a petition under Section 372 of Indian Succession Act, 1925 seeking succession certificate with respect to right, title, and interest in movable properties of Mr. Subhash Chander Mann.
3. The petitioner, herein, sought herself to be impleaded in the aforesaid proceedings.
4. Initially, her such request was declined by the learned Trial Court. However, when she filed a review, her such review application was allowed and, consequently, she was directed to be impleaded as party in the aforesaid succession proceedings.
5. However, such order was taken in appeal by the respondents herein, and such appeal has been allowed by the learned First Appellate Court *vide* order dated 23.02.2024.

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6. Such order is under challenge.
7. Learned counsel for petitioner strongly relies upon the observations appearing in *Vidya Dhari and others Vs. Sukhrana Bai and others*, AIR 2008 SC 1420 and submits that as per the ratio of the aforesaid judgment, a second wife also has certain rights to seek succession.
8. When asked, learned counsel for petitioner submitted that petitioner herein was nominee with respect to bank account number 35653803063 with State Bank of India, New Rajinder Nagar Branch and Locker No. 2 with State Bank of India, West Patel Nagar Branch. It has been prayed that since the petitioner herein is nominee with respect to aforesaid bank account as well as with respect to the locker, her right of participation and impleadment in the aforesaid pleadings should not have been declined.
9. Learned counsel for respondents, however, divulges that the aforesaid bank account and locker are not within the purview of the succession proceedings, and therefore, her non-impleadment does not result in prejudice to her and she is at liberty to pursue available legal action, if so advised. He submits that as far as said bank account is concerned, respondents herein have already given up their claim with respect to such bank account. He also submits that respondents herein have yet not taken any decision with respect to the locker in question.
10. Be that as it may, in view of the aforesaid statement made at the Bar by learned counsel for respondents, learned counsel for petitioner, on instructions, submits that he does not press his present petition. He also states that the petitioner would see as to what steps can be taken by her to stake and assert her rights and interest with respect to said bank account and locker, of which she is nominee.



11. The present petition is accordingly disposed of as not pressed.
12. Liberty, as prayed for, is granted.

MANOJ JAIN, J

APRIL 23, 2025/dr/shs