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

+ **W.P.(C) 933/2026**

SH. NITESH BHARDWAJ

.....Petitioner

Through: Mr. V P Rana and Mr. Kunal Mittal,
Advocates.

versus

THE TEHSILDAR/EXECUTIVE MAGISTRATERespondent

Through: Mr. Raghvendra Upadhyay, Ms.
Purnima Jain and Mr. Swaraj Maurya,
Advocates.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

ORDER

% **22.01.2026**

1. The petition is for directions to the Tehsildar to assign the complaint filed by the petitioner for cancelation of the legal heir certificate dated 07.06.2022.
2. It appears that the petitioner has instituted a suit for declaration of ownership in respect of certain immovable properties against one Jagdish Lal Malhotra (deceased). Upon the demise of said Jagdish Lal Malhotra, his purported legal heirs Mr. Alok Malhotra, Mrs. Anjali Ratti and Mrs. Anuradha, have been substituted in his place.
3. During the pendency of the suit, the petitioner became aware of a third party who is claiming ownership of the suit property, on the basis of sale deeds executed by Mr. Alok Malhotra and Mrs. Anjali Ratti.
4. The Sale deeds appear to have been executed in the name of Jagdish



Yadav by Mr. Alok Malhotra and Mrs. Anjali Rathi. The same seems to have been done on the basis of the legal heir certificate which apparently does not include the name of Mrs. Anuradha.

5. The petitioner submits that the exclusion of the name of Mrs. Anuradha, who admittedly is the legal heir of deceased Jagdish Lal Malhotra, the sale deed ought not to have been executed.

6. Having considered the overall facts and circumstances, the Court finds that the petitioner will have full opportunity to agitate all the issues before the concerned trial court. If such issues are raised, the competent Court will have to consider them appropriately. There is no reason why the competent Court would not examine the legality, validity, and the legal implications thereof.

7. Thus, there cannot be a separate writ petition which should be entertained at the instance of the petitioner to set aside the legal heir certificate dated 07.06.2022, when proceedings relating to a similar cause of action is already pending. Reserving the aforesaid liberty, the instant petition stands disposed of.

PURUSHAINDR KUMAR KAURAV, J

JANUARY 22, 2026

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