

IN THE COURT OF SH. SHIV KUMAR,
DISTRICT JUDGE (WEST DISTRICT),
TIS HAZARI COURTS DELHI.

Probate Case No.- 66/2025

DLWT010096012025



Smt Sulochana
W/o Sh. Joginder Singh,
R/o 118, Hardev Pana,
VPO Kair, Najafgarh,
New Delhi-110043.

.....Petitioner

Versus

State (NCT of Delhi).

.....Respondent

PETITION UNDER SECTION 276 OF THE INDIAN
SUCCESSION ACT, 1925 FOR GRANT OF LETTERS OF
ADMINISTRATION IN RESPECT OF WILL DATED
25.05.2016.

Date of institution of the case : 20.09.2025

Date reserved for judgment : 30.05.2026

Date of pronouncement of Judgment : 30.05.2026

JUDGMENT

- 1) Vide this judgment, I shall decide the petition filed by the petitioner under Section 276 of the Indian Succession Act 1925, for grant of letters of administration in respect of Will dated 25.05.2016 executed by Late Smt Roshni (hereinafter to be referred as “the deceased”).

- 2) It is averred in the petition that Smt Roshni Devi expired at New Delhi on 27.06.2022 and left behind her last Will and testament dated 25.05.2016, executed, voluntarily, while being of sound mind and good health.
- 3) It is further averred that the Will in question is the only Will executed by the deceased and by virtue of the said will, the petitioner is the sole legatee and beneficiary of all movable and immovable properties of the deceased.
- 4) It is further averred that the will in question has been executed by the deceased in the presence of two attesting witness, namely, Sh. Surender Singh and Sh. Dharampal Sehrawat.
- 5) It is further averred that the deceased, at the time of her death, was the absolute owner and in peaceful possession of the immoveable property i.e. 1/4th share in Agriculture Land in Khata Khatoni No. 547/281-823 min & 547/283, comprising in Khasra Nos. 11/11 (4-10), 12/1 (0-16), 19/2 (1-12), 20/1 (0-19), 20/2 (3-11), 21 (1-0), 22/1 (0-15), 28 (0-5), 38/28 (Kamaj Biswa), 81/6/2 (1-2), 7/2 (1-13), 14 (4-16), 15 (4-16), 16/2 (3-14), 82/11 (5-18), 19 (4-16), 20 (4-15), 29 (0-02), 216 (1-4), 217 (0-10), 753 (0-02) & 752 (0-12), situated in the revenue estate of Village Tikri Kalan, New Delhi -110041 (hereinafter to be referred as suit property).

- 6) It is further averred that the deceased has also sold land ad measuring 12 biswas from Khasra no. 186 (0-12) and now her share in agriculture land remains 11 bigha 8 biswas.
- 7) It is further averred that the deceased was also owner of Plot of land measuring 250 sq. yards, out of khasra no. 195/5, situated in the revenue estate of village Tikri Kalan, New Delhi-110041, which was sold by the deceased before her death.
- 8) It is further averred that the petitioner is real niece of the deceased and the Petitioner is the sole legatee of the entire estate of the deceased and have full, absolute, and unfettered ownership and disposing rights over all her properties, both movable and immovable, without any interference or claim from any other person. It is further averred that by virtue of the said Will, the deceased completely excluded all others from succession to her estate and bequeathed the same exclusively in favour of the Petitioner.
- 9) It is further averred that in the event of the death of the Petitioner before the deceased, the Will provided that the properties would devolve upon her sons namely Gaurav Singh and Pratham Singh. Since the Petitioner is alive, she is entitled to inherit under the said Will.
- 10) It is further averred that the petitioner has become owner the suit properties. It is further averred that the petitioner had been residing with and looking after the

deceased, during her old age, rendering full care attention and assistance to her. It is further averred that even after her marriage, the petitioner continued to maintain close ties with the deceased and regularly visited and served her with the affection and dedication. It is further averred that upon the demise of the deceased on 27.06.2022, the petitioner performed the cremation and all last rites, ceremonies and rituals of the deceased.

- 11) It is prayed that the letters of administration be issued in respect of estate of the deceased in favour of the petitioner and allow the petitioner to have all rights, title, interest and authority to possess, manage, transfer, mutate and otherwise deal with the estate of the deceased, in accordance with law.
- 12) Notice of the petition was served to respondent. Citation for general public was also published in the daily newspaper "Statesman" edition dated 16.12.2025 and affixed on the notice board of the court on 09.12.2025. State was served on 08.12.2025. Objections have not been filed either on behalf of the State or on behalf of the general public.
- 13) Petitioner/ Smt Sulochana, in order to prove her case, has examined herself as PW-1 and has tendered her affidavit in evidence as Ex. PW-1/A.
- 14) PW-2/ Sh. Surender Singh, one of the attesting

witnesses of the Will dated 25.05.2016 executed by the deceased Smt Roshni appeared in the witness box and tendered his evidence by way of affidavits Ex PW-2/A and PW-2 has relied upon the copy of his Aadhar card Ex C-1 (OSR). After seeing the Will in question, PW-2 identified the signatures of testatrix as well as other attesting witness, Sh. Dharampal Sehrawat and also identified his signatures on the Will in question. Thereafter, on 21.01.2026, on the submission of Ld counsel for the petitioner, PE was closed.

15) The testimonies of PW-1 and PW-2 have gone unrebutted and unchallenged. No person from general public has filed any objection(s) in response to the citation published in newspaper. The petitioner has succeeded in proving that the Will in question has been executed by the deceased, voluntarily, and in sound mind and the said Will is her legal, valid and last Will.

16) In view of above discussions, the petition of the petitioner stands **allowed** and it is ordered that letters of administration in respect of suit properties mentioned in the Will, except plot of land mentioned in para no. 6 of judgment, be issued to the petitioner, under the seal of this court in the form set forth in Schedule VII of the Indian Succession Act, 1925 with copy of Will, subject to completion of the following formalities.

(i) furnishing of requisite court fees on the value of the immoveable property of the deceased, coming into the hands of the petitioner.

(ii) and further subject to furnishing of administration bond to the amount of the value of abovesaid immoveable property of the deceased, coming into the hands of the petitioner.

17) Further, the petitioner is also directed to file the inventory of above said immoveable property within six months and final statement of account within one year from the date of receipt of formal letters of administration. The formalities of issuance of Letter of Administration be completed within six months from the date of the judgment, as per Section 290 & 291 of Indian Succession Act.

18) The petitioner is directed to file valuation report of the suit property at the time of completion of formalities of issuance of letters of administration.

File be consigned to record room after due compliance.

**Announced in the open court
on 30.05.2026**

(SHIV KUMAR)
District Judge, Court no.127,
West Distt, Tis Hazari courts