

SH RANJIT SINGH NAGI Vs. STATE GOVT OF NCT OF DELHI

24.01.2025

Present: Sh. Prabhnoor Singh, Ld counsel for the petitioner along with petitioner no. 1 in person.
Sh. Harshit Khurana, Ld counsel for R-2 through VC.

Affidavit of admission/denial of documents has been filed by R-2.

The respondent no. 2 has admitted the death certificate of late Sh. Harpal Singh Nagi and Death certificate of Late Smt Balvinder Kaur and copy of Aadhaar cards of both the abovesaid deceased persons and has denied other documents of the petitioners.

Ld counsel for the petitioner submits that the R-2 has not filed any documents with her objections, so, there is no need of filing of affidavit of admission/denial of documents on behalf of the petitioner.

Affidavit of admission/denial of documents has been completed in the present case.

Ld counsels for the parties submits that they are not disputing that their parents have died intestate without leaving any Will. Ld counsel for the petitioners submits that the petitioners have 2/3rd shares in the properties of their deceased parents and Respondent no. 2 has 1/3rd share in the said properties.

Ld counsel for the R-2 has admitted the abovesaid legal position and has admitted that the respondent no 2 has 1/3rd share in the said properties and petitioner have 2/3rd shares in the abovesaid

properties but he is disputing regarding issuance of Letters of Administration of the suit property to the petitioners.

From the pleadings of the parties, Issues have been framed :

1) **Whether the petitioner are entitled for issuance of Letters of administration, in respect of the properties of their deceased parents i.e. Locker no. 859 with Key no. 45 in Punjab & Sindh Bank, Dera santpura, Tilak Nagar New Delhi? OPP.**

2) Relief

No other issue arise or pressed for.

Ld counsel for the petitioner submits that Local Commissioner may be appointed in the present case for asserting the value of the articles lying in the locker.

Heard. Allowed.

Sh Ujjwal Aggarwal, Advocate (having Enrl no. D/897/21, mobile no 9718882156) has been appointed as Local Commissioner in the present case. He is directed to visit the concerned Bank at a mutually convenient date along with the petitioner. The ***Locker no. 859 with Key no. 45 in Punjab & Sindh Bank, Dera santpura, Tilak Nagar New Delhi*** shall be opened in the presence of the Bank Manager and the petitioner and an inventory shall be prepared by the Local Commissioner in the presence of petitioner and Manager of the Bank. Thereafter, the articles shall

be got valued from the Bank approved valuer, who shall be arranged by the Bank but the charges for the services of the valuer shall be paid by the petitioner

Local Commissioner shall be paid Rs.12,000/- as fee for carrying out the Commission. The valuation of the articles found in the locker, if any, shall be carried out by the approved valuer.

Copy of order be given dasti to Id. Counsel for the petitioner as well as Id. Local Commissioner for compliance.

Ld. Local Commissioner is directed to file his report and valuation report within one week from the date of execution of the commission.

Put up on **26.03.2025 for P.E.** as well as awaiting/filing of report of Local Commissioner.

Parties are directed to file list of witnesses within 15 days from today. Ld counsel for the petitioner is directed to supply advance copy of affidavit of witnesses to be examined on the NDOH, to Ld counsel for respondents, at least 10 days prior to the next date of hearing.

(SHIV KUMAR)
DJ-02 (W)THC:Delhi
24.01.2025