

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

Probate Case No.- 68/2025
CNR No.DLWT010101672025
DLWT010101672025



Smt Usha Dhingra
D/o Late Shri Ram Lal Bhayana
W/o Late Sh.Nand Kishore Dhingra
R/o F-66A, Bali Nagar, P.O. Ramesh Nagar,
West Delhi, Delhi-110015.

.....Petitioner

Versus

1.State of NCT of Delhi.

2. Sh. Hari Chand Bhayana
S/o Late Sh. Ram Lal Bhayana
R/o C-2/57, Sector-36, Noida-201301
Gautam Buddha Nagar, U.P.

.....Respondents

PETITION UNDER SECTION 278 OF THE INDIAN
SUCCESSION ACT, 1925 FOR GRANT OF LETTERS OF
ADMINISTRATION IN RESPECT OF ESTATE LEFT
BEHIND BY SH. SATISH KUMAR BHAYANA.

Date of institution of the case : 08.10.2025

Date reserved for judgment : 26.05.2026.

Date of pronouncement of Judgment : 26.05.2026

JUDGMENT

- 1) Vide this judgment, I shall decide the petition filed under Section 278 of the Indian Succession Act 1925, for grant of letters of administration estate left behind by Sh. Satish Kumar Bhayana (hereinafter to be referred as “the deceased”).

- 2) It is averred in the petition that Sh. Satish Kumar Bhayana has expired on 14.12.2021 and his wife/Smt Phool Rani Bhayana had expired on 17.12.2021. It is further averred that the deceased resided at A-110, Sharda Puri, Ramesh Nagar, Delhi-110015. It is further averred that Sh. Satish Kumar Bhayana has died issueless and except the petitioner, one Sh. Hari Chand Bhayana/respondent no. 2/brother of the deceased are the only surviving Class-II legal heir of the deceased.

- 3) It is further averred that the deceased was maintaining a Locker account no. F-89 at State Bank of India, 13, Raja Garden Branch, New Delhi-110015 (hereinafter to be referred as “locker in question”).

- 4) It is further averred that the petitioner had filed a succession petition bearing no. 168/2022 and the same was allowed but since the Ld Administrative Civil Judge, THC, Delhi is not vest with the power to issue any directions with respect to the locker in question, therefore, the

petitioner has filed the present petition for grant of Letters of Administration.

- 5) Notice of the petition was served to respondents. Citation for general public was also published in the daily newspaper "Statesman" edition dated 21.01.2026 and affixed on the notice board of the court on 11.11.2025. State was served on 29.10.2025. Objections have not been filed either on behalf of the State or on behalf of the general public.
- 6) It is pertinent to mention that on 23.01.2026, the respondent no. 2 has given statement in the court that he has no objection for issuing letters of administration in respect of articles found in locker in question in favour of the petitioner.
- 7) On the application of the petitioner, Ms. Sonam, Ld advocate was appointed as Local Commissioner for execution of the commission to ascertain the value of articles found in the locker no F-89 at State Bank of India, 13, Raja Garden Branch, New Delhi-110015, in the name of deceased Sh. Satish Kumar Bhayana and the report of the Local Commissioner was filed in the court. As per report of the Local commissioner, the value of the articles lying in the above-said locker is **Rs. 16,25,346/-** .

- 8) On 04.01.2025, Petitioner Smt Usha Dhingra has appeared before the court as PW-1 and she tendered her evidence by way of affidavit Ex PW-1/A and she reiterated and reaffirmed the averments made in the plaint.
- 9) On 26.05.2026, on the application filed by Ld counsel for the petitioner under order 18 rule 17 CPC, the petitioner was further examined in chief and she tendered her additional evidence by way of affidavit Ex PW-1/B and relied upon copy of Succession certificate issued by Ld. ACJ, which is exhibited as Ex PW-1/H.
- 10) The testimony of PW-1, has gone unrebutted and unchallenged. There is no reason to disbelieve the testimony of PW-1. No person from general public has filed any objection(s) in response to the citation published in newspaper.
- 11) The petitioner has proved the death of deceased Sh. Satish Kumar Bhayana and his wife late Smt Phool Rani Bhayana vide death certificates Ex PW-1/A-1 and Ex PW-1/A-2. The petitioner has also proved copy of judgement dated 21.05.2025 by way of which succession certificate in respect of the debts and securities of the deceased, has been issued in favour of the petitioner.
- 12) The petitioner has proved that the deceased died issueless and his wife Smt Phool Rani Bhayana has also

died on 17.12.2021. The petitioner has succeeded to prove that the petitioner and respondent no. 2 are the only nearest Class II legal heir of the deceased being his sister and brother, as per Hindu Succession Act, 1956. Respondent no. 2 has already given his NOC for issuance of Letters of Administration in favour of the petitioner.

13) In view of above discussion, it is held that petitioner is entitled for issuance of letters of administration in respect of articles found in locker in question. Accordingly, it is ordered that letters of administration in respect of the locker in question be issued to the petitioner, subject to compliance of following conditions:

(i) furnishing of requisite court fees on the value of the movable articles lying in the locker in question.

(ii) further subject to furnishing of administration-cum-surety bond to the amount of the value of movable articles found in the locker in question.

14) Further, the petitioner is also directed to file the inventory of movable articles 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 Letters of Administration be completed

within six months from the date of the judgment, as per Section 290 & 291 read with Section 317 of Indian Succession Act.

File be consigned to the Record Room after due compliance as per rules.

**Announced in the open court
on 26.05.2026**

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