

**BEFORE
SH SHIV KUMAR
DISTRICT JUDGE-02,
WEST, DELHI.**

Probate Case No. 58/2025

DLWT010088702025



1. Gurvinderjeet Singh

S/o Late Sh. Balwant Singh

R/o F-43, Vishnu Garden

New Delhi-110018.

.....Petitioner

Versus

1. State of NCT of Delhi

2. Rajinder Kaur

D/o Late Sh. Balwant Singh

R/o WZ-9, Vishnu Park,

New Delhi-110018.

3. Manjeet Kaur

D/o Late Sh. Balwant Singh

R/o-RZ-159, Indra Park,

Uttam Nagar, New Delhi-110059.

4. Ranjeet Kaur

D/o Late Sh. Balwant Singh

R/o D-141, 2nd Floor,

BPTP Amstoria, Sector 102,

Gurugram 122006.

.....Respondents.

**PETITION UNDER SECTION 267 and 276 OF THE INDIAN
SUCCESSION ACT FOR GRANT OF PROBATE IN
RESPECT OF WILL DATED 21.08.2020 EXECUTED BY
LATE SMT SATNAM KAUR.**

Date of institution of the case : 06.09.2025

Date reserved for judgment : 11.07.2026

Date of pronouncement of Judgment : 11.07.2026

JUDGMENT

- 1) Vide this judgment, I shall decide the petition filed by the petitioner under Section 267 and 276 of the Indian Succession Act for grant of probate of Will dated 21.08.2020 executed by Late Smt Satnam Kaur (hereinafter referred to as 'the deceased').
- 2) It is averred in the petition that Late Satnam Kaur was the absolute owner and was in possession of freehold property bearing no. F-43, Old No. 237-B, ad measuring about 75 sq. yards located and situated at Village Khayala,

Delhi Estate Delhi Colony, also known as Vishnu Garden and the said property is consisting of ground and four floors.

- 3) It is further averred that Late Smt Satnam Kaur died on 20.02.2025 at Delhi and left behind her children, who are petitioner and respondent no. 2 to 4 in the present case. It is further averred that during her life time, Late Smt Satnam Kaur executed a Will dated 21.08.2020 being her last will and testament with regard to her moveable and immovable properties and the same was executed in the presence of two attesting witnesses. It is further averred that the mother, father and husband of the deceased have pre-deceased the deceased.
- 4) Citation for general public was published in the daily newspaper "The Statesman", edition dated 03.03.2026 and citation was also affixed on the notice board of the collector on 12.12.2025 and on the notice board of the court on 13.12.2025. Collector, Vishnu Garden has been served on 13.12.2025 and State has been served on 15.12.2025, however, no objection has been filed either on behalf of the State or anyone from the general public.
- 5) The valuation report of property bearing no. F-43, Vishnu Garden, New Delhi-110018 has been filed by Teshildar, Rajouri Garden and as per the said valuation report, the value of the property is Rs. 61,28,298/-.

- 6) It is pertinent mention that on 22.11.2025, respondent no. 2 to 4 have given joint statement that they have no objection, if the probate/LOA on the basis of Will dated 21.08.2020 executed by Late Smt Satnam Kaur be issued to the petitioner.
- 7) Sh. Gurvinderjeet Singh/petitioner, in order to prove his case, has examined himself as PW-1 and has tendered his affidavit in evidence as Ex. PW-1/A. He has proved and relied upon the following documents:-
1. Mark A: Copy of sale deed dated 17.08.2020 in favour of Smt Satnam Kaur.
 2. Mark B: Original Family Will of Late Smt Satnam Kaur and PW-1 identified the signatures of the deceased on the Will at Point A on all pages.
 3. Mark C: Affidavit of witness Ms. Priyanka Kaur.
 4. Mark D: Affidavit of Ms. Sharda Rani.
 5. Mark E: Death certificate of Late Smt Satnam Kaur.
 6. Ex PW-1/1: Schedule-I i.e. Details of assets of Late Smt Satnam Kaur.
 7. Ex PW-1/2: Schedule II i.e. details expenses incurred.
- 8) Smt Sharda Rani and Ms Priyanka, both attesting witnesses of the Will have appeared before the court as PW-2 and PW-3 and they tendered their evidence by way of affidavit as Ex PW-2/A and Ex PW-3/A respectively. They deposed that the deceased was healthy and had sound disposing state of mind at the time of execution of the

abovesaid Will. After seeing the Will, PW-2 and PW-3 identified the signatures of the deceased on the Will Ex PW2/1 and they also identified their signatures and also identified the signatures of each other. PW-2 and PW-3 has also proved that the deceased had put her signatures on the Will Ex PW-2/1 in their presence and Will in question was executed by the deceased, voluntarily, without any force or undue influence.

9) The testimony of PW-1 to PW-3 have gone unrebutted and unchallenged. There is no reason to disbelieve the testimony of PW-1 to PW-3. No person from general public has filed any objection(s) in response to the citation published in newspaper. Death of deceased Smt Satnam Kaur has been proved by petitioner vide death certificate Mark E. Copy of sale deed dated 17.08.2020 has been proved by the petitioner as Mark A. Respondent no. 2 to 4 have already given their joint statement regarding no objection, if the Probate/LOA be issued in favour of the petitioner.

10) In view of the abovesaid unrebutted and unchallenged testimonies of PW1 to PW-3, it is held that the petitioner has succeeded in proving that the deceased had executed the Will Ex PW-2/1, voluntarily, without any force or undue influence and the said Will is legal, valid and the last Will of the deceased.

11) As per Will Ex PW-2/1, Smt Satnam Kaur/ petitioner has been appointed as an executor by the deceased. As per Section 222 of Indian Succession Act, petitioner, whose name is mentioned as an executor in the Will, is entitled for receiving probate of the Will.

12) In view of abovesaid discussions and findings, the present petition stands **allowed** and it is ordered that the certificate of Probate of the Will Ex PW-2/1, be issued to the petitioner, under the seal of this court in the form set forth in Schedule VI of the Indian Succession Act, 1925, along with attested copy of the Will in question, subject to completion of the following formalities.

(i) furnishing of requisite court fees on the value of the property, coming into the hands of the petitioner, as per Will Ex PW-2/1.

(ii) and further subject to furnishing of administration bond to the amount of the value of property, coming into the hands of the petitioner, as per Will Ex PW-2/1.

(iii) and further subject to filing of valuation of the property, coming into the hands of the petitioner as per Will Ex PW-2/1..

13) Further, the petitioner is also directed to file the inventory of immovable property of the deceased, within six months and final statement of account within one year

from the date of receipt of formal Probate of the Will. The formalities of issuance of letters of administration of the Will be completed within six months from the date of the judgment, as per Section 290 & 291 of Indian Succession Act.

- 14) The original Will shall remain part of the judicial record, in terms of Section 294 of the Indian Succession Act, 1925.

File be consigned to record room after due compliance.

**Announced in the open court
on 11.07.2026**

(SHIV KUMAR)
District Judge-02,
West/THC/Delhi.