

THE COURT OF MS. KIRAN GUPTA,
DISTRICT JUDGE-02, NORTH-WEST DISTRICT
ROHINI COURT: DELHI

GP No. 4/2025

DLNW010033612025



Smt. Leena Thawani

W/o Late Sh. Sidharth Kukreja
R/o 139, Block and Pocket E-21,
Sector 3, Rohini, Delhi

.....Petitioner

VERSUS

State

Govt. of NCT of Delhi

.....Respondent

Date of Institution	:	01.04.2025
Date of Arguments	:	12.08.2026
Date of Judgment	:	12.08.2026

JUDGMENT

1. This is the petition under S. 8 of the Guardian and Wards Act, 1890 for appointment of Guardian of property of the minor Master

Satvik Kukreja with the permission to sell the share of minor in the property.

BRIEF FACTS

2. In the petition, it is stated that Late Sh. Girdhari Lal was the owner of built up property (constructed upto two and a half storey) bearing no. 140, block E, Pocket 21, area measuring 31.69 sq. mts situated at Sector 3, Rohini, Delhi (hereinafter referred to as the suit property) by virtue of the Conveyance Deed dated 17.10.2016. That Sh. Girdhari Lal died intestate leaving behind his wife Smt. Asha Kukreja and two sons namely Sh. Himanshu and Sh. Sidharth Kukreja.

2.1. That Smt. Asha Kukreja during her lifetime and Sh. Himanshu (son) executed a registered Relinquishment Deed dated 18.08.2021 with respect to their share in the suit property in favor of Sh. Sidharth Kukreja. That Sh. Sidharth Kukreja died intestate on 02.12.2024 leaving behind petitioner (wife) and his minor son Satvik Kukreja as his sole surviving legal heirs.

2.2. It is stated that the minor son Satvik Kukreja is residing within care and custody of the petitioner. She had been looking after his day to day expenses including medical, educational and other expenses. That petitioner and Master Satvik Kukreja have 1/2 share each in the suit property. It is stated that her husband had availed a loan on the suit property and she is not in the condition to repay the loan amount. It is

submitted that she be allowed to sell the suit property in order to repay the loan and also for the welfare of the minor child. She intends to sell the share of the child for repayment of loan and for his betterment and for meeting his day to day expenses. She intends to sell the suit property and invest the sale proceed of his 1/2 share in some valuable property to meet all the expenses of the minor child. She has no adverse interest to that of the minor child being his real mother. It is prayed that she be appointed as the Guardian of the minor child Master Satvik Kukreja and granted permission to sell the share of the minor in the suit property left behind by her husband as detailed above.

3. The publication of the petition was carried out in the daily newspaper, namely, 'Rashtriya Sahara' dated 15.05.2025. Despite publication in the newspaper and notice to the general public at large, no one has come forward to make any objection in respect of the prayers made by the petitioner in the present petition.

4. Notice was also issued to the concerned SDM to file valuation report of the suit property. As per the Valuation report, the value of the suit property is Rs. 29,62,382/- (Twenty Nine Lacs Sixty Two Thousand and Three Hundred Eighty Two Rupees).

EVIDENCE ON BEHALF OF THE PETITIONER

5. In order to prove her case, petitioner has examined following witnesses:

A. PW1 is the petitioner herself. She has tendered her evidence by way of affidavit Ex.PW1/A and has relied upon the following documents :-

- (i) Copy of her aadhar card as Ex.PW1/1.
- (ii) Copy of Conveyance Deed as Mark PW1/2
- (iii) Copy of Relinquishment Deed as Mark PW1/3.
- (iv) Copy of death certificate of Sidharth Kukreja as Ex.PW1/4.
- (v) Copy of birth certificate of Master Satvik Kukreja as Ex.PW1/5.
- (vi) Copy of death certificate of Sh. Girdhari Lal as Ex.PW1/6.
- (vii) Copy of death certificate of Asha Kukreja as Ex.PW1/7.
- (viii) Copy of the Surviving Member Certificate as Ex.PW1/8.
- (ix) Aadhar card of Satvik Kukreja as Ex.PW1/9.

B. PW2 is **Sh. Himanshu**. He deposed that he had executed relinquishment deed dated 18.08.2021 Mark PW1/3 in favor of his brother Sh. Sidharth Kukreja.

ANALYSIS AND FINDINGS

6. Heard counsel for the petitioner and perused the complete record file. The petitioner has filed the Conveyance Deed to show that the suit property belonged to Late Sh. Girdhari Lal. She has categorically deposed that Sh. Girdhari Lal died intestate leaving behind Asha Kukreja (wife), Himanshu (son) and Sidharth Kukreja (son) as his legal heirs. She has proved the Relinquishment Deed Mark PW1/3 executed by Asha Kukreja and Himanshu in favor of Sidharth Kukreja. She has proved the surviving member certificate that she alongwith the minor child Satvik Kukreja are the surviving legal heirs of Sidharth Kukreja and thus have acquired equal share in the suit property. It is stated that Master Satvik Kukreja is in the sole and exclusive custody and care of the petitioner who is his mother and thus natural as well as the legal guardian.

7. The disposal of the suit property seems a necessity and for an evident advantage to the minor child. The petitioner is the mother/natural guardian of minor child and there is no material to gather an inference that her interest is in conflict with or adverse to that of the minor. No other LR's or any person from general public, in response to the public notices, have come forward for raising any objection to the petition. There is no impediment in granting the permission as sought by the petitioner. Accordingly, **the petition is allowed.**

RELIEF

8. In view of the above finding, the petition is allowed. The petitioner is appointed as guardian of minor child Master Satvik Kukreja with permission to sell the share of minor child.

The order is subject to the following conditions :-

(a.) The sale consideration amount of the share of the minor child in the property shall not be less than the circle rate of the property as per the valuation report filed by the concerned SDM or market value of property, whichever is higher.

(b.) That out of the sale proceeds of the aforesaid suit property, the share of the minor child be deposited by way of fixed deposit scheme with a Nationalized Bank or Post Office for the period till the minor attains the age of majority, with the provision for automatic renewal, as per rules.

(c.) The interest accrued on the FDR is permitted to be utilized for meeting out the necessary expenditure of the minor towards their welfare, upbringing and education.

(d.) As soon as the sale has been made, a compliance report shall be filed within one month of the sale.

On fulfillment of necessary conditions, the guardianship certificate alongwith permission to sell be given as per Delhi High Court Rules.

File be consigned to record room.

Announced in open
Court on 12.08.2026

KIRAN GUPTA
DISTRICT JUDGE-02
NORTH WEST DISTRICT
ROHINI COURTS, DELHI