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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **TEST.CAS. 50/2025**

Date of Decision: **27.10.2025**

IN THE MATTER OF:.

ANMOL SINGH SAHNI

.....Petitioner

Through: Mr. Rahul Malhotra and Ms. Sneha
Agarwal, Advs.

versus

STATE & ORS.

.....Respondents

Through: None.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

JUDGEMENT

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

The present petition is filed under Section 278 of the Indian Succession Act, 1925, seeking the grant of Letters of Administration (*hereinafter referred to as 'LoA'*) with respect to the two registered Wills dated 08.02.2016 and 28.06.2018 (*hereinafter referred to as 'the wills'*) executed by Late Sardar Lakhbir Singh @ Sardar Lakhbir Singh Sahni (*hereinafter referred to as 'the testator'*).

2. The testator was residing at House No. 32/52, Road No. 52, Punjabi Bagh (West), New Delhi-110026, and left for his heavenly abode on 31.01.2025. The testator is survived by his wife, four daughters, and one son.



3. The petitioner, being the son of the testator and the sole beneficiary under both the Wills, seeks LoA in accordance with the Wills. Respondent No. 2 is the wife, and Respondent Nos. 3 to 6 are the daughters of the testator. It is also stated that at the time of execution of the Will dated 08.02.2016, Respondent Nos. 3 to 6 executed undertakings declaring no objection to the said Will and agreeing not to make any claims in respect of the testator's properties.

4. The testator left behind movable and immovable properties as detailed in Schedules A and B to the petition. The movable assets include mutual funds amounting to Rs. 20,33,556/- and balances in bank accounts totalling Rs. 10,62,574.89/-, while the immovable assets comprise of properties at Punjabi Bagh (West) and Karol Bagh in New Delhi, commercial units at M3M Urbana Business Park in Gurugram, and an industrial plot at Bahadurgarh, Haryana. The total value of the movable estate is stated to be Rs. 32,29,330.89/-, and the immovable assets are approximately Rs. 20,94,79,105/-, with no outstanding liabilities. The Schedules of properties are reproduced as under:-

SCHEDULE A
LIST OF ASSETS OF TESTATOR

S. NO.	DETAILS OF ASSETS	VALUE
1.	<i>Property in Government Securities transferrable at public debt office.</i>	NA
2.	<i>Amounts lying in bank accounts - i. Axis Bank- 915010014131284 in sum of Rs.726,974.61. ii. Axis Bank- 922010020132022 in sum of Rs.2,80,350.49 iii. Axis Bank- 920010017972521 in</i>	Rs. 10,62,574.89/-



	<i>sum of Rs.(-)213.98</i> <i>iv. Axis Bank- 918010004305111 in sum ol'Rs.3140.23</i> <i>v. indusind bank- 159811160881 in sum of Rs.1997.99</i> <i>vi. Kotak Bank- 610010102454 in sum of Rs.(-)215.55</i> <i>vii. HDFC Bank- 50100699619899 in sum of Rs.50,110/-</i>	
3.	<i>Immovable properties –</i> <i>a. Properly No. 32152, Punjabi Bagh West, New Delhi-110026 in sum of Rs.15,94,74,205/-</i> <i>b. Unit bearing No. UBP/ST/O/12L/6A, UBP/ST/O/12L/6D, UBP/ST/O/12L/6E, UBP/ST/O/12L/6F, UBP/ST/O/12L/6G, UBP/ST/O/12L/6H in M3M Urbana Business Park, Sector-67, Gurugram, Haryana, India in sum of Rs.2,09,50,400/-</i> <i>c. Share of the deccasecl in Unit No. 101, 102, 103, 104, each measuring 1382.49 sq. ft., total aggregating to 5229.96 sq. ft. forming part of the property bearing Municipal No.10409 (16-A/8), built on Plot No.8 in Block 16A, situated in Western Extension Area, Karol Bagh, New Delhi in sum of Rs.1,83,10,000/-.</i> <i>d. Industrial Plot No.1677, Sector MIE, Bahadurgarh measuring 275.50 sq.</i>	<i>Rs.20,94,79,105/-.</i>



	<i>mtrs. in sum of Rs.,1,07,44,500/-.</i>	
4.	<i>Shares in public companies, securities, bonds, etc. (a) 48% shareholding in M/s Asian Ceramios Pvt. Ltd. in sum of Rs.1,33,200/-(b) Mutual Funds in sum o[Rs.20,33,556/-</i>	<i>Rs.21,66,756/-</i>
5.	<i>Stock in trade</i>	<i>NA</i>
6.	<i>Other properties not forming part of above heads.</i>	<i>NA</i>
	<i>Total</i>	<i>Rs.21,07,58,354.89</i>

SCHEDULE B
LIST OF LIABILITIES OF TESTATOR

S.NO.	Details of the liabilities	Value
1.	<i>Amount of debt due and payable by the Deceased</i>	<i>NIL</i>
2.	<i>Amount of funeral expenses</i>	<i>NIL</i>
3.	<i>Amount of mortgage/encumbrances</i>	<i>NIL</i>
4.	<i>Property held in trust</i>	<i>NIL</i>
5.	<i>Other liabilities</i>	<i>NIL</i>
	<i>Total</i>	<i>NIL</i>

5. Respondent Nos. 2 to 6 have no objection to the relief sought in the instant petition. Their statements to that effect were taken on record on 21.05.2025, and they were directed to file affidavits within four weeks. Pursuant thereto, the no objection affidavits have been filed by the respondents.

6. The petitioner has also published the citation in newspapers i.e., 'Punjab Kesari' (Hindi) and 'The Statesman' (English) on 12.06.2025.

7. Subsequently, vide 22.09.2025, the Joint Registrar recorded the statements of PW-1 Mr. Anmol Singh Sahni, PW-2 Mrs. Hardeep Kaur Chadha, and PW-3 Mr. Suresh Kumar.



8. Moreover, the Tehsildar, Punjabi Bagh, has also placed on record the valuation report of the Punjabi Bagh property.

9. At this stage, it is pertinent to note herein that this Court in the case of **Sh. Raj Rani Bhasin vs. State**¹, has held that the person to whom LoA is granted does not thereby become entitled to the property or estate of the deceased/testator and the estate still succeeds according to the law of succession applicable to the deceased/testator. The primary objective of a LoA, issued by the Court, is to authorize the appointed administrator to gather and consolidate the assets of the deceased or testator. It also allows the administrator to interact with relevant authorities where such assets are held or recorded, enabling the realization of those assets and facilitating their transfer to the rightful successors in accordance with the applicable laws of succession. It was further held that the administrator is required to, from time-to-time, to file accounts in the Court with respect to the administration of the estate and/ or as to how the estate has been settled/ transferred to the successors in accordance with the law of succession applicable to the deceased and upon the administrator defaulting in the same, the Court retains the power to revoke the grant. For the sake of clarity, Paragraph no.9 of the aforesaid decision reads as under:

“9. The person to whom letters of administration are granted does not thereby become entitled to the property or estate of the deceased. The estate still succeeds according to the law of succession application to the deceased. The purpose of Letters of Administration is merely to enable the administrator so appointed by the Court to collect/ assimilate the properties of the deceased, and/ or to deal with the various authorities with whom the properties of the deceased may be vested or recorded and to realize the same and / or to have the same

¹ 158(200) DLT 713



transferred in the names of the successors in accordance with law of succession applicable to the deceased. The administrator is required to, from time-to-time, file accounts in the Court with respect to the administration of the estate and/ or as to how the estate has been settled/ transferred to the successors in accordance with law of succession application to the deceased and upon the administrator defaulting in the same, the Court retains the power to revoke the grant.”

10. Under the aforesaid circumstances, there is no impediment in directing for issuance of LoA in accordance to the Wills. Besides, if the valuation *qua* any of the immovable property is not received, let the issuance of LoA be subject to the same.
11. In view of the aforesaid, the Court directs for issuance of LoA subject to statutory compliances before the concerned Registrar. Let the petitioner also make the payment of the necessary stamp duty.
12. The requirement of surety bond stands exempted as there is no objection to the Wills.
13. List before the concerned Joint Registrar on 12.11.2025 for compliance.

PURUSHAINDRA KUMAR KAURAV, J

OCTOBER 27, 2025/p/mj