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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 561/2023, I.A. 17652/2023, I.A. 17653/2023 & I.A. 19899/2025

MASTER GURNOOR SINGH & ANR.

.....Plaintiffs

Through: None.

versus

SH RAVINDER SINGH & ORS.

.....Defendants

Through: Mr. Samman Vardhan Gautam, Ms. Khushi Sharma, Mr. Priyam Tiwari, Ms. Anshika Priyadarshini and Mr. Shrey Gupta, Advs. for D-2 & D-3
Mob: 7717730165
Email: associatesvglawoffices@gmail.com
Mr. Santosh Kr. Rout, Adv. for D-19 & D-21
Mob: 9990430878
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Mr. Anurag Vashishtt, Adv. for D-8 & D-9 (Through VC)
Mr. S.S. Jain, Adv. for D-1 (Through VC)

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+ TEST.CAS. 40/2024 & I.A. 44475/2024

SH RAVINDER SINGH

.....Petitioner

Through: Mr. Samman Vardhan Gautam, Ms. Khushi Sharma, Mr. Priyam Tiwari, Ms. Anshika Priyadarshini and Mr. Shrey Gupta, Advs.



Mob: 7717730165

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associatesvglawoffices@gmail.com

versus

THE STATE GOVT, OF NCT OF DELHI

.....Respondent

Through: Ms. Urvi Mohan, Adv. for GNCTD

Mob: 7718992441

Email:

chambersurvimohan@gmail.com

CORAM:

HON'BLE MS. JUSTICE MINI PUSHKARNA

ORDER

%

24.02.2026

1. CS(OS) 561/2023 is a suit for recovery, having been filed on behalf of the plaintiffs, wherein, the plaintiff no. 2 is the wife of deceased Sh. Jarnail Singh, and plaintiff no. 1 is the minor son of plaintiff no. 2 and deceased Sh. Jarnail Singh.
2. The suit for recovery has been filed, as despite issuance of the Succession Certificate in favour of the plaintiffs, the defendant nos. 1 to 9, withdrew money from the bank accounts of late Sh. Jarnail Singh. The defendant no. 1 is the brother of late Sh. Jarnail Singh and the other defendants are family members/friends of late Sh. Jarnail Singh.
3. Learned counsel appearing for the plaintiffs in CS(OS) 561/2023 draws the attention of this Court to the order dated 29th March, 2023, passed by the Succession Court in Case No. 39/2022, titled as "*Lavleen Ahluwalia And Anr. Vs. State Govt. of NCT of Delhi And Ors.*", wherein, the



Succession Certificate has been granted in favour of the plaintiffs herein. The order dated 29th March, 2023 recording the fact of issuance of Succession Certificate in favour of the plaintiffs, is reproduced herein:

“

Succ. Court 39/22
Lavleen Ahluwalia And Anr. Vs. State Govt Of NCT of Delhi And
Ors.

29.03.2023

Present: Mr. Arshad Ali, Id. Counsel for petitioner alongwith
petitioner no. 1.
Sh. Rajender Kumar, Id. Counsel for Objector no. 3
alongwith Objector no. 3/Ravinder Singh.

Fresh Vakalatnama filed on behalf of the Objector no. 3. Same is taken on record.

Reply to application u/s 151 CPC of Objector no. 3 is filed on behalf of the petitioner. Copy supplied.

Ld. Counsel for petitioner strongly opposes the application u/s 151 CPC filed on behalf of Objector no. 3 stating that the Objections have already been decided and the existence of Will was never mentioned in the Objections filed earlier. He further submits that the application filed is devoid of the details of Locker no. and Bank where the Will is kept. He further submits that the present application has been filed with mala fide intention and its contents are suspicious as the said Captain J. P. Satyarthi never came forward to disclose the existence of Will to the family members of the deceased. He further submits that even if succession certificate is granted to the petitioner, she will be filing the indemnity bond and interest of the objector, if any will be safeguarded.

Contd..2/-



-2-

It is submitted by the counsel for Objector no. 3 that he has asked Captain J. P. Satyarthi to join the court proceedings through VC at 10:30 AM. It is 11:00 a.m.; however, no one has appeared on VC.

Be awaited for appearance of Captain J. P. Satyarthi.

Reader is directed to inform as soon as anyone joins the court proceedings through VC.

(Upasana Satija)

ACJ/CCJ/ARC(W)/29.03.2023

At 12:00 PM

Present: Mr. Arshad Ali, Id. Counsel for petitioner alongwith petitioner no. 1.

Sh. Rajender Kumar, Id. Counsel for Objector no. 3 alongwith Objector no. 3/Ravinder Singh.

Captain J. P. Satyarthi has still not joined the proceedings. Further, no e-mail has been received from him as directed on the last date of hearing. The objector entered his appearance for the first time on 05.04.2022 and since then, he has failed to produce any document or witness on the basis of which he is asserting right to assets and securities of the deceased. Hence, no ground is made out to delay the proceedings in the present case any further and the application filed by Objector no. 3 cannot be considered. Accordingly, this court shall proceed to decide the application of the petitioner u/s 372 of Indian Succession Act as even if the application is allowed, it does not imply that the petitioner has a right to succeed to the assets and securities of the deceased. |

Contd...3/-



-3-

Put up for order on application u/s 372 of Indian Succession
Act at 04:00 PM

(Upasana Satija)
ACJ/CCJ/ARC(W)/29.03.2023

At 04:00 PM

Present: Mr. Arshad Ali, Id. Counsel for petitioner alongwith
petitioner no. 1.
Sh. Rajender Kumar, Id. Counsel for Objector no. 3
alongwith Objector no. 3/Ravinder Singh.

Vide separate judgment of even date, announced in the open Court today, the present petition is allowed. The petitioner no. 1 and petitioner no. 2 being Class-I legal heirs, are entitled for grant of succession certificate u/s 373 of Indian Succession Act, 1925 in respect of debts and securities of the deceased Sh. Jarnail Singh as per **Ex. F, Ex. D, Ex. A and Ex. RW5/1**. It is accordingly directed that succession certificate be issued in name of petitioner no. 1/Mrs. Lavleen Ahluwalia and petitioner no. 2/Master Gurnoor Singh, in respect of debts and securities of the deceased Sh. Jarnail Singh as per **Ex. F, Ex. D, Ex. A and Ex. RW5/1** upon filing of Court fees in terms of Article 12 Schedule 1 of Court fees Act and indemnity bond with one surety.

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Contd...4/-



-4-

It is further directed that 1/2 share each in respect to the debts and securities in the name of the deceased be equally divided between petitioner no. 1 and petitioner no. 2 and share of Petitioner no. 2 be deposited in the form of fixed deposits in a Nationalized bank and the same be released to him after his attaining majority.

Petition is disposed of accordingly. After issuing of Succession certificate on compliance of above terms and conditions, file be consigned to record room.

(Upasana Satija)
ACJ/CCJ/ARC(W)/29.03.2023 „

4. The relevant portions of the judgment dated 29th March, 2023, passed by the Succession Court, in the same case bearing No. 39/2022, by which Succession Certificate has been granted in favour of the plaintiffs, are as follows:

“xxx xxx xxx

8. Petitioner no. 1 examined herself as PW-1. She tendered her evidence by way of affidavit Ex. PW1/A bearing her signatures at points A and B respectively. She relied upon following documents:

- (i) Copy of Marriage Certificate with regard marriage between her and Jarnail Singh(deceased herein) was marked as Mark A,
- (ii) Copy of her Aadhar Card was exhibited as Ex. PW1/2,
- (iii) Copy of Aadhar Card of her deceased husband Jarnail Singh was exhibited as Ex. PW1/3,
- (iv) Copy of Birth Certificate of Petitioner No. 2 was exhibited as Ex. PW1/4,



- (v) Copy of Aadhar Card of petitioner No. 2 was exhibited as Ex. PW1/5,
- (vi) Death Certificate of Jarnail Singh was exhibited as Ex. PW1/6,
- (vii) Copy of Surviving Member Certificate was exhibited as Ex. PW-1/7, and
- (viii) The publication in newspaper 'Veer Arjun' dated 04.03.2022 was exhibited as Ex.PW-1/8.

She further stated that her grandmother Smt. Kulwant Kaur has also expired before her marriage with Sh. Jarnail Singh (deceased herein). The deceased has left behind besides her, her minor son (petitioner No. 2 herein) who are the only legal heirs of deceased. The deceased made no WILL during his life time and died intestate. The deceased has left behind the bank accounts with Respondents No. 2 to 5 and the officials from respondents No. 2 to 4 have already given statement as RW1, RW2, RW3 and RW5 with regard to amount lying in the bank accounts in the name of the deceased. She further prayed that the Succession Certificate in equal portion for debts and securities prayed in the present petition be issued in her favour as well as in favour of Gurnoor Singh, her minor son who is petitioner No. 2 herein and there is no impediment for grant of succession certificate in their favour.

9. From perusal of record, the testimony of the witnesses and documents filed on record, it is clear that deceased Sh. Jarnail Singh was husband of the petitioner no. 1 and father of petitioner no. 2 and he expired on 19.01.2022 at Yashoda Super Specialty Hospital, Kaushambi, Ghaziabad. At time of his death, place of residence of deceased Sh. Jarnail Singh, as mentioned in copy of his death certificate, was at 3/43, Third Floor, Ramesh Nagar, West Zone MCD, NCT of Delhi-110015. Further there is no impediment u/s 370 of Indian Succession Act, 1925 to the grant of succession certificate with respect to account bearing No. 1032593201, account



bearing No. 020010102025076, account bearing no. 01441930007400 and Saving bank account no. 052060084007 which are in the name of deceased Sh. Jarnail Singh for which succession certificate is required.

10. In view of the matter as discussed above, it is held that petitioner no. 1 and petitioner no. 2 being Class-I legal heirs, are entitled for grant of succession certificate u/s 373 of Indian Succession Act, 1925 in respect of debts and securities of the deceased Sh. Jarnail Singh as per **Ex. F, Ex. D, Ex. A and Ex. RW5/1**. It is accordingly directed that succession certificate be issued in name of petitioner no. 1/Mrs. Lavleen Ahluwalia and petitioner no. 2/Master Gurnoor Singh, in respect of debts and securities of the deceased Sh. Jarnail Singh as per **Ex. F, Ex. D, Ex. A and Ex. RW5/1** upon filing of Court fees in terms of Article 12 Schedule 1 of Court fees Act and indemnity bond with one surety.

11. It is further directed that 1/2 share each in respect to the debts and securities in the name of the deceased be equally divided between petitioner no. 1 and petitioner no. 2 and share of Petitioner no. 2 be deposited in the form of fixed deposits in a Nationalized bank and the same be released to him after his attaining majority.

xxx xxx xxx”

5. Accordingly, it is clear that a Succession Certificate has been duly granted in favour of the plaintiffs, though this Court is informed that an appeal has been filed by defendant no. 1 in *CS(OS) 561/2023*, against the aforesaid judgment/order granting Succession Certificate in favour of the plaintiffs. The said appeal is stated to be pending before the District Court, Tis Hazari Courts.

6. This Court further notes the order dated 20th September, 2023 passed



by this Court, wherein, direction was issued by this Court to maintain *status quo* with regard to the two residential properties from the estate of late Sh. Jarnail Singh, in the following manner:

“xxx xxx xxx

6. Taking into account that it is the plaintiffs' case that despite a succession certificate qua the estate of late Sh. Jarnail Singh having been issued in their favour, the defendants, in order to wrongfully deprive the plaintiffs of their rightful dues unauthorisedly operated his bank accounts, I am of the view that the plaintiffs have been able to make out a case for directing the defendants to maintain status quo qua the two residential properties as mentioned in para 8 of the application being House No. T-510/F, 15, C-IB, Gall No. 4, Baljit Nagar, Delhi and House No. C-200A, Third Floor, Hari Nagar, New Delhi-110064. The balance of inconvenience is also in the favour of the plaintiffs. Grave and irreparable prejudice would be caused to the plaintiffs in case the defendants proceed to create third party rights in the aforesaid two suit properties.

xxx xxx xxx”

(Emphasis Supplied)

7. This Court also takes note of the order dated 17th October, 2023, wherein, this Court restrained the defendants from operating the three bank accounts where money withdrawn from the account of late Sh. Jarnail Singh, was stated to be deposited, in the following manner:

“xxx xxx xxx

2. It is the plaintiffs' claim that despite issuance of a succession certificate qua the estate of late Sh. Jarnail Singh in their favour, the defendants have illegally been withdrawing money from the bank accounts of the deceased late Sh. Jarnail Singh. In the light of the aforesaid and taking into account that despite opportunity, no replies to the applications have been filed till date, I am of the view that it will be in the interest of justice to restrain the defendants till the next date from operating the following three bank accounts where money withdrawn from the account of late Sh. Jamail Singh is claimed to have been deposited.

(i) Bank account of defendant no. 1 in Kotak Mahindra Bank, 13, Main Road, Block-I, West Patel Nagar, New Delhi-110008.

(ii) Bank account no. 922010010865855 of defendant no. 1 in Axis



Bank Limited, Cottage No. 11, West Patel Nagar, New Delhi.

(iii) Bank account of defendant no. 3 in Canara Bank, 13/11, B-13/13A, GF, Tilak Nagar, S.O., Delhi-110018.

xxx xxx xxx”

(Emphasis Supplied)

8. This Court also takes note of the subsequent order dated 04th April, 2025, passed by this Court, wherein, it has been noted as follows:

“I.A. 17652/2023 (under Order 38 Rule 5 read with Section 151 of the Code of Civil Procedure, 1908 for the attachment of assets before judgment)

1. In continuation of the orders dated 20.09.2023 and 17.10.2023, issue warrants of attachment for the bank accounts listed at paragraph no. 8 (f), (g), (h), (i), (j) and (k) of this application for the extent of amounts listed in the said paragraphs in terms of Order XXI Rule 43 Code of Civil Procedure, 1908. The relevant paragraph no. 8 (f), (g), (h), (i), (j) and (k) of this application read as under: -

“8. ...

..

f. Balance of approximately Rs. 10 Lacs lying in the account of Defendant No. 10 bearing Account No. 82833070001934 in Canara Bank, Having its Branch Office at Hari Krishan Industrial Area, Sonapat, Haryana (Pro Forma Defendant No. 17)

g. Balance of approximately Rs. 5 Lacs lying in the account of Defendant No. 5 in State Bank of India, Having its Branch Office at Gurdwara Santpura, New Delhi-110018 (Pro Forma Defendant No. 18)

h. Balance of approximately Rs. 10 Lacs lying in the account of Defendant No. 6 in Union Bank of India, Having its Branch Office at Ground Floor, Z-326/3, Jamia Nagar, Okhla, New Delhi-110025 (Pro Forma Defendant No. 19)

i. Balance of approximately Rs. 20 Lacs lying in the account of Defendant No. 7 bearing Account No. 914010030338020 in Axis Bank Ltd., Rajan Complex, Ward No 17, Main Market Road, Arya Nagar, Jhajjar, Haryana, 124102 (Pro Forma Defendant No. 20) and Balance of approximately Rs. 30 Lacs lying in the account of Defendant No. 7 bearing Account No. 50200077682413 in HDFC Bank, Sonipat, Haryana.

j. Balance of approximately Rs. 46 Lacs lying in the account of Defendant No. 8 bearing Account No. 1847000100058149 in Punjab National Bank, 117 Main Najafgarh Road, Bus Stand Tilak Nagar,



New Delhi (Pro Forma Defendant No. 21)

k. Balance of approximately Rs. 40 Lacs lying in the account of Defendant No. 9 bearing Account No. 20171010084241 in Canara Bank, Tilak Nagar, New Delhi (Pro Forma Defendant No. 16)."

xxx xxx xxx"

(Emphasis Supplied)

9. This Court further notes the order dated 16th October, 2025, wherein, directions have been issued to defendant no. 1 to maintain *status quo* with respect to one of the properties, in the following manner:

"xxx xxx xxx

2. In the meanwhile, the respondent no.1 shall maintain status quo with regard to Plot No.C-231, land measuring 120 sq. yards, out of Khasra Nos.2055 and 2058, situated in the area of Village Tihar and the colony known as Hari Nagar, Clock Tower, New Delhi- 110064.

xxx xxx xxx"

(Emphasis Supplied)

10. Perusal of the various orders passed by this Court, as noted above, shows that the following bank accounts have been attached by this Court *vide* orders dated 17th October, 2023 and 04th April, 2025:

- i) Balance of approximately Rs. 45 lacs lying in the account of defendant no. 1 in Kotak Mahindra bank, having its Branch Office at *13, Main Road, Block 1, West Patel Nagar, Patel Nagar, New Delhi- 110008* (Pro Forma Defendant No. 15)
- ii) Balance of approximately Rs. 20 lacs lying in the account of defendant no. 1 bearing Account No. 922010010865855 in Axis Bank Limited, having its Branch Office *at Cottage No. 11, West Patel Nagar, New Delhi.* (Defendant No. 12 to 14)
- iii) Balance of approximately Rs. 20 lacs lying in the account of defendant no. 3 in Canara Bank, having its Branch Office at *13/11, B*



13/13 A GF, Tilak Nagar, S.O, Delhi-110018 (Pro Forma Defendant No. 16)

- iv) Balance of approximately Rs. 10 lacs lying in the account of defendant no. 10 bearing Account No. 82833070001934 in Canara Bank, having its Branch Office at *Hari Krishan Industrial Area, Sonapat, Haryana* (Pro Forma Defendant No. 17)
- v) Balance of approximately Rs. 5 lacs lying in the account of defendant no. 5 in State Bank of India, having its Branch Office at *Gurdwara Santpura, New Delhi-110018* (Pro Forma Defendant No. 18)
- vi) Balance of approximately Rs. 10 lacs lying in the account of defendant no. 6 in Union Bank of India, having its Branch Office at *Ground Floor, Z-326/3, Jamia Nagar, Okhla, New Delhi-110025* (Pro Forma Defendant No. 19)
- vii) Balance of approximately Rs. 20 lacs lying in the account of defendant no. 7 bearing Account No. 914010030338080 in Axis Bank Ltd., Rajan Complex, *Ward No. 17, Main Market Road, Arya Nagar, Jhajjar, Haryana, 124102* (Pro Forma Defendant No. 20) and balance of approximately Rs. 30 lacs lying in the account of defendant no. 7 bearing Account No. 50200077682413 in HDFC Bank, *Sonipat, Haryana*.
- viii) Balance of approximately Rs. 46 lacs lying in the account of defendant no. 8 bearing Account No. 1847000100058149 in Punjab National Bank, *117 Main Najafgarh Road, Bus Stand Tilak Nagar, New Delhi* (Pro Forma Defendant No. 21)
- ix) Balance of approximately Rs. 40 lacs lying in the account of defendant no. 9 bearing Account No. 20171010084241 in Canara



Bank, *Tilak Nagar, New Delhi* (Pro Forma Defendant No. 16)

11. Learned counsel appearing for the plaintiffs submits that since the aforesaid accounts in the afore-noted banks already stand attached, the amounts therein ought to be brought before this Court and kept in an interest bearing account, so that subject to the final orders by this Court in the present proceedings, the said amounts can be released to the concerned party, in terms of the directions that may be passed by this Court.
12. Considering the fact that the aforesaid bank accounts already stand attached by this Court, direction is issued to the respective banks to deposit the amount lying in the said accounts, in favour of the Registrar General, Delhi High Court, with the Registry of this Court. Let the needful be done by the respective banks within a period of four weeks from today.
13. Upon receipt of the aforesaid amounts from the respective banks, the Registry of this Court is directed to keep the said amounts in an interest bearing account.
14. Accordingly, issue Court Notice to the respective banks, with direction to comply with the directions of this Court as passed today.
15. At this stage, this Court is informed that the Joint Schedule of Documents is yet to be filed in *CS(OS) 561/2023*, and similarly in *TEST.CAS. 40/2024*, admission/denial and other proceedings, are yet to be conducted.
16. Accordingly, list *CS(OS) 561/2023* and *TEST.CAS. 40/2024*, before the Joint Registrar (Judicial) for further proceedings on 27th March, 2026.

MINI PUSHKARNA, J

FEBRUARY 24, 2026/SK