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

+ **TEST.CAS. 10/2024, I.As. 2734/2024 & 2735/2024**

SH. PAWAN CHOPRA

..... Petitioner

Through: Ms. Manu Nayar, Adv.
(M:98113331106)

versus

THE STATE NCT OF DELHI & ORS.

..... Respondents

Through: None.

CORAM:

JUSTICE PRATHIBA M. SINGH

ORDER

% **05.02.2024**

1. This hearing has been done through hybrid mode.

I.A.2735/2024 (for delay)

2. This is an application filed for condonation of delay in re-filing of probate petition. For the reasons stated in the application, the delay of 11 days in re-filing the petition is condoned. Application is disposed of.

I.A.2734/2024 (for exemption)

3. This is an application seeking exemption from filing the affidavit of attesting witness to the Will. Exemption is granted at this stage, however subject to the condition that if the need arises the Will would be proved in accordance with law. Application is disposed of.

TEST.CAS.10/2024

4. This is a petition under Sections 276 and 278 of the Indian Succession Act, 1925 filed by the Petitioner- Mr. Pawan Chopra son of Late Shri Narinder Kumar Chopra seeking issuance of Letters of Administration/probate (hereinafter, 'LOA') in respect of his father's Will



dated 30th January, 2005.

5. According to the Petitioner, his father's Will is handwritten Will and in terms of the said Will the testator has bequeathed the portions to various children of two properties of -29, Defence Enclave, Vikas Marg, New Delhi-110092 and 20, South Patel Nagar, Eastern Side, First Floor. The other children of Late Sh. Narinder Kumar Chopra are Respondent Nos.2, 3 and 4. It is stated that Petitioner and Respondent No. 2 are the beneficiaries of the said Will and none of the other legal heirs have any right.
6. Issue notice to all the Respondents. Let the notice be served upon Mr. Anuj Aggarwal, Id. ASC, GNCTD for the Respondent No.1.
7. In the meantime, the concerned SDM shall examine the valuation report and file a report within eight weeks before the Court.
8. Let the copy of the petition be also served upon all other Respondents through all modes by the Petitioner as well.
9. List before the Joint Registrar on 10th April, 2024.
10. List before the Court on 29th July, 2024.

PRATHIBA M. SINGH, J.

FEBRUARY 05, 2024/dk/bh