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

+ **TEST.CAS. 95/2024**

MANJEET KAUR CHAUDHARY

.....Petitioner

Through: Ms. Yashika Malhotra, Mr. Sumit
Kalra and Ms. Anisha Arora, Adv.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondent

Through: Ms. Avni Singh and Mr. Rushikanta,
Adv. for R-1/State.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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04.12.2024

TEST.CAS. 95/2024

1. The present petition has been filed under Section 276 of the Indian Succession Act, 1925 [hereinafter referred to as 'Act'] for grant of probate in respect of Will dated 31.01.2022 of Late Col. Gurbaksh Singh Chaudhary.
2. The learned counsel appearing on behalf of the petitioner submits that the present petition is duly supported by an affidavit of two attesting witnesses.
3. In view of the above, issue notice. The learned counsel appearing on behalf of the respondent no.1/State accepts notice.
4. On petitioner taking steps, issue notice to the respondent nos.2 to 4.
5. Let citation in the prescribed format be published in two newspapers, namely, "The Statesman" (English) and "Veer Arjun" (Hindi) having wide circulation in Delhi.



6. The SDM concerned is directed to file a valuation report with regard to the property mentioned in the schedule, before the next date of hearing.

7. List before the learned Joint Registrar for completion of service and pleadings on 17.04.2025.

I.A. 47180/2024 (by the petitioner under Section 151 of CPC for placing the original Will in a sealed cover)

8. The learned counsel appearing on behalf of the petitioner submits that present petition is based on the Will executed by Late Col. Gurbaksh Singh Chaudhary. She submits that as the Will is a most vital and crucial document and fate of the petition depends on the said Will, therefore, the present Will may be kept in a safe custody in a sealed cover so as to protect and preserve the original Will. The original Will is yet to be filed.

9. Having regard to the submissions made by the learned counsel for the petitioner, the present application is allowed.

10. On petitioner filing original Will in the Registry, the same may be placed in a sealed cover in accordance with rules.

11. Let the petitioner's counsel appear before the learned Joint Registrar (Original) for the aforesaid purpose, on 16.01.2025.

VIKAS MAHAJAN, J

DECEMBER 4, 2024

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