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

+ **CM(M) 4148/2024**

PRADEEP RAI @ PARVEEN KUMARPetitioner

Through: **Mr. V.K.Raina and Mr. S. Sastry,**
Adv.

versus

STATE NCT OF DELHI & ANR.

.....Respondent

Through:

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

% **14.01.2025**

CM APPL. 75302/2024 (EXEMPTION)

Allowed, subject to all just exceptions.

The application stands disposed of.

CM APPL. 75303/2024 DELAY 10 DAYS IN RE-FILING

For the reasons stated in the application, delay of 10 days in refilling the petition stands condoned.

The application stands disposed of.

CM(M) 4148/2024, CM APPL. 75301/2024 STAY

1. The petition under Article 227 of the Constitution of India challenges the order dated 30.08.2024 passed by the learned trial court whereby the court directed the petitioner to take steps to implead legal heirs of the deceased Aditi Raheja.

2. Petitioner filed a petition for grant of succession certificate based on



the Will of his late sister Smt. Promila Raheja. Smt. Promila Raheja had executed a Will in favour of her daughter Aditi Raheja, stating further that in the event of the death of Aditi Raheja, her brother Pradeep Rai will be the sole and absolute owner of her remaining immovable properties/amounts/ornaments etc.

3. Learned counsel submits that Aditi Raheja, daughter of Pradeep Raheja has since expired thereafter the petitioner filed a petition for grant of succession certificate. However, the learned Trial Court has proceeded to direct the implement of legal heirs of Aditi Raheja on the assumption that there is recording in the Will that in the event of the daughter predeceasing the testatrix, the property of the deceased shall devolve upon the petitioner.

4. Issue notice to the respondents through all permissible modes, subject to the petitioner taking necessary steps, returnable for 26.05.2025.

5. In the meanwhile, the operation of the impugned order dated 30.08.2024 is kept in abeyance.

RAVINDER DUDEJA, J

JANUARY 14, 2025/ib