



2025:DHC:9463



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

+ **TEST.CAS. 79/2021**

Date of Decision: **16.10.2025**

IN THE MATTER OF:

ANKITVIJ
S/O SHRI JITENDER PAL VIJ
R/O RP-42, PITAMPURA,
NEW DELHI 110034
PH: 9899620300

.....Petitioner

(Through: Mr. Samit Khosla, Adv.)

Versus

1. STATE
THROUGH GOVT. OF NCT OF DELHI
2. MR. JITENDER PAL VIJ
S/O SHRI SOHAN LAL VIJ
R/O PROPERTY BEARING NO. RP-42,
PITAMPURA, NEW DELHI 110034.
3. MS. ANJULA BHAGAT
W/O SHRI GAURAV BHAGAT
R/O 1745, PHEASANT
RUN DR. MARYLAND HEIGHTS,
MO 63043 USA.
4. MS. ELA JUNEJA
W/O SHRI SUMIT JUNEJA
RIO A-3/146, JANAK PURI,
NEW DELHI-110058.

.... RESPONDENTS

(Through: None.)



CORAM:

HON'BLE MR. JUSTICE PURUSHAINDRA KUMAR KAURAV

J U D G E M E N T

PURUSHAINDRA KUMAR KAURAV, J. (ORAL)

1. The present petition has been filed under Section 278 read with Section 232 of the Indian Succession Act, 1925, by Mr. Ankit Vij, son of Late Smt. Raman Vij, seeking grant of Letters of Administration [**LoA**] with respect to the registered Last Will and Testament dated 10.03.2021 executed by Late Smt. Raman Vij.
2. It is stated that the testatrix, Smt. Raman Vij, passed away on 08.05.2021 at Medanta Medicity Hospital, Gurugram, Haryana. At the time of her demise, she was a permanent resident of RP-42, Maurya Enclave, Pitampura, New Delhi-110034.
3. The testatrix was survived by the following Class-I legal heirs:

S. No.	Name	Relationship to Deceased	Party Status	Status w.r.t. Will
1.	Mr. Jitendar Pal Vij	Husband	Respondent No. 2	Gave No Objection (Affidavit)
2.	Mr. Ankit Vij	Son	Petitioner	Seeks LoA
3.	Ms. Anjula Bhagat	Married Daughter	Respondent No. 3	Gave No Objection (Affidavit)
4.	Ms. Ela Juneja	Married Daughter	Respondent No. 4	Gave No Objection



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				(Affidavit)
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4. All the aforementioned legal heirs have filed their respective No Objection Affidavits, thereby confirming the execution and validity of the Will dated 10.03.2021 and raising no objection to the grant of LoA in favour of the Petitioner. These affidavits are already on record.

5. The Will dated 10.03.2021, executed by the deceased, is duly registered before the Sub-Registrar, New Delhi (Reg. No. 1291 in Book No. 3, Vol. No. 791, Pages 146–149). The Will was executed while the deceased was in a sound state of mind and free from any coercion or undue influence.

6. Furthermore, two attesting witnesses have affirmed the execution of the Will as per the provisions of the Indian Succession Act, 1925. Their affidavits are also on record, supporting the validity of the Will.

7. The deceased left behind the following immovable properties:

- i. Property No. E-199, 7th Floor, Antariksh Apartments, Rohini, Delhi
- ii. Property No. 4841/A, Plot No. 22, House No. 24 (Basement), Ansari Road, Darya Ganj, Delhi
- iii. Property No. 4841/A, Plot No. 22, House No. 24 (Mezzanine), Ansari Road, Darya Ganj, Delhi
- iv. Property No. 106, Amit Industrial Estate, Parel, Mumbai

8. The total estimated value of the estate is approximately Rs.4,80,04,900/-, as detailed in Schedule 'A' annexed to the petition. The valuation of the Mumbai property (Unit No. 106, Amit Industrial Estate,



Parel) has been independently verified in the report dated 09.09.2024, confirming its value as Rs.92,86,000/-.

9. 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 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

¹ 158(200) DLT 713



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. In view of the aforesaid, the Court directs that the LoA be issued in favour of the petitioner by the concerned Registrar, subject to furnishing the bond as well as the payment of the applicable Court fee.
11. The Court fees shall be payable proportionately by each beneficiary in accordance with the share of assets received under the Will to avoid ambiguity during issuance of LoA.
12. The Joint Registrar shall call for a valuation report in respect of the entire estate if the same has not already been obtained. In case the petitioner has any objection or submission regarding such valuation, the same shall be duly considered by the Joint Registrar.
13. The detailed valuation, property documents, Will, no objection affidavits, and other relevant material shall form part of the Court record.
14. It is made clear that this Court has not adjudicated title or ownership disputes, if any, regarding the properties forming part of the estate of the deceased.
15. The petition is accordingly allowed along with all pending applications, if any.
16. Ordered accordingly.
17. In view of the aforesaid, list this matter before the Joint Registrar for the aforesaid compliance on 06.11.2025.

(PURUSHAINDRA KUMAR KAURAV)
JUDGE

OCTOBER 16, 2025/P/AMG