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

+ TEST.CAS. 19/2022

DHIR SINGH RAJPUT

..... Petitioner

Through: Ms. Pooja Singh and Mr. Vivek
Bhadauria, Advocates.

versus

STATE OF DELHI & ORS.

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE AMIT BANSAL

ORDER

% **15.03.2022**

I.A. No. 2629/2022 (for exemption)

1. Allowed, subject to all just exceptions.

I.A. No. 2630/2022 (for condonation of delay in re-filing petition)

2. Issue notice.

3. List before the Joint Registrar on 4th May, 2022.

TEST.CAS. 19/2022

4. Vide the order dated 16th February, 2022, this Court had directed the petitioner to place a list of judgments in support of his contention that this Court would have jurisdiction to entertain the present petition for grant of probate.

5. Counsel for petitioner has relied upon the judgment of this Court in *Sudha Gupta Vs. State*, 2017 SCC OnLine Del 9653, wherein this Court, by relying upon the judgment of the Supreme Court in *N.S. Chopra Vs. State*, 2014 SCC 333, had observed that the Court would have the jurisdiction to entertain and try the petition under Section 270 of the Indian Succession

TEST.CAS. 19/2022

Page 1 of 2



Act, 1925 if the deceased had a fixed place of abode at Delhi at the time of his death.

6. The counsel for the petitioner draws my attention to paragraph 16 of the petition wherein it is stated that the deceased testator resided in Delhi.

7. Issue notice through all modes.

8. Notice be served upon the respondent no. 1 through the Standing Counsel for GNCTD.

9. Citations be published in Delhi in 'Nav Bharat Times' (Hindi Edition) and in 'The Statesman' (English Edition) and in Punjab in 'Nav Bharat Times' (Hindi Edition).

10. Objections, if any, be filed within four weeks.

11. Valuation report in respect of the suit property may be obtained from the concerned Sub-Divisional Magistrate of where the property is located.

12. List before the Joint Registrar for completion of pleadings on 4th May, 2022.

AMIT BANSAL, J

MARCH 15, 2022

Sakshi R.