

Section 151 Cpc For Grant Of Permission ... vs State Of Gnctd & Ors on 23 August, 2021

Author: Asha Menon

Bench: Asha Menon

\$~Suppl. - 16

* IN THE HIGH COURT OF DELHI AT NEW DELHI

+ TEST. CAS. 66/2021, I.A.s 10526/2021 (by the petitioner under Section 151 CPC for grant of permission to encash dividend warrants), I.A. No. 10527/2021 (by the petitioner under Section 151 CPC for grant of permission for dematerialization of physical shares), I.A. No. 10528/2021 (by the petitioner under Section 151 CPC for obtaining duplicate share certificate in respect of lost/misplaced shares), I.A. No. 10529/2021 (by the petitioner under Order 40 Rule 1 read with Section 151 CPC for appointment of Receiver in respect of estate of Smt. Kaur Ahuja) & I.A. No. 10531/2021 (by the petitioner under Section 151 CPC for condoning delay in re-filing), I.A. No. 10530/2021 (By the petitioner seeking Exemption from filing typed/certified copy of dim/illegible/handwritten annexures)

HARMANDER KAUR

.... Petitioner

Through: Mr. Ajay Talesara and Syed Sarfaraz Karim, Advocates

versus

STATE OF GNCTD & ORS.

.....Respondent

Through: Ms. Sangita Rai, Advocate for respondent No. 1.

CORAM:

HON'BLE MS. JUSTICE ASHA MENON

ORDER

% 23.08.2021 [VIA VIDEO CONFERENCING] I.A. No. 10530/2021 (By the petitioner seeking Exemption from filing TEST.

typed/certified copy of dim/illegible/handwritten annexures)

1. Exemption allowed, subject to all just exceptions.

2. Application stands disposed of.

TEST. CAS. 66/2021, I.A.s 10526/2021 (by the petitioner under Section 151 CPC for grant of permission to encash dividend warrants), I.A. No. 10527/2021 (by the petitioner under Section 151 CPC for grant of permission for dematerialization of the physical shares), I.A. No. 10528/2021 (by the petitioner under Section 151 CPC for obtaining duplicate share certificates in respect of lost/misplaced shares), I.A. No. 10529/2021 (by the petitioner under Order 40 Rule 1 read with Section 151 CPC for appointment of Receiver in respect of estate of Smt. Amrit Kaur Ahuja) & I.A. No. 10531/2021 (by the petitioner under Section 151 CPC for condoning delay in re-filing)

1. The present petition has been filed by the petitioner under Section 276 of the Indian Succession Act, 1925, seeking issuance of Probate/Letter of Administration of the Will dated 12th October, 2011, in respect of the estate of the deceased Smt. Amrit Kaur Ahuja, as detailed in Annexure A.

2. Issue notice.

3. Ms. Sangita Rai, Advocate, accepts notice on behalf of respondent No. 1. Notice of the petition as well as of applications be issued to the respondents No. 2 and 3 by all permissible modes including WhatsApp, E-mail, on the petitioner taking necessary steps, returnable before the Joint Registrar on 29th September, 2021.

4. Notice be also issued to the concerned SDM for the next date of hearing to place on record the Valuation Report in respect of the TEST.

assets/properties mentioned in Schedule A to Schedule F.

5. Citations be published in two daily newspapers, one in English and one in Hindi, having wide circulation in NCT of Delhi.

6. The petitioner is directed to file the original Will before the Joint Registrar, which shall be kept in safe custody, in accordance with the prescribed rules.

7. Mr. Ajay Talesara, learned counsel for the petitioner submits that a connected matter being TEST. CAS. 64/2021 has already been filed. It is directed that the present matter be taken up for hearing along with TEST. CAS. 64/2021.

8. The order be uploaded on the website forthwith.

ASHA MENON, J AUGUST 23, 2021 pkb TEST.