

## Affidavit of Legal Heirs for Substitution

To be attested by I class Magistrate/ Sub-Judge given on non-judicial stamp paper of Rs. 10/-

Affidavit of

Shri \_\_\_\_\_

\_\_\_\_\_ Son/ daughter/wife of

Shri \_\_\_\_\_

R/O \_\_\_\_\_

\_\_\_\_\_ The deponent solemnly affidavit as follows:-

1. That \_\_\_\_\_ was my father /mother /husband /wife /grand father/Grand mother /father-in-law and he/ she died on \_\_\_\_\_ .

2. That the decease was lessee of property No \_\_\_\_\_

3. That the lease in respect of the said property was registered as No.

\_\_\_\_\_ additional Bound

No \_\_\_\_\_ Vol. No \_\_\_\_\_ on

pages No \_\_\_\_\_ to \_\_\_\_\_ dated

\_\_\_\_\_ .

4. That the decease has left behind the following heirs (widow/widower/mother / son/daughter/widow of predeceased son/ children of predecease caught her/ children of predeceased son etc. Including myself under Hindi succession Act, and their names along with their relationship with decaser, thefr ages and their addresses are give below:-

Sr.No.	Name	Age	Relationship with the deceased	Address
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(i)

(ii)

(iii)

**(iv)**

**5.** That the deceased did not leave behind any heirs except those whose names are given above.

**6.** That the deceased left behind a will dated \_\_\_\_\_ bequeathing the after sale property in favour of \_\_\_\_\_ which is registered/non-registered one. The 'will' is genuine and I have no objection on it if the same is acted upon. That the deceased has left behind no will.

**DEPONENT**

**VERIFICATION :**

I , \_\_\_\_\_ the above named deponent do hereby verify that the contents para 1 to 6 of the above affidavit are true and correct to my knowledge and that no portion is false. The said affidavit \_\_\_\_\_ nothing which is relevant to the above matter.

Signed, dated and verified at \_\_\_\_\_ this  
the \_\_\_\_\_ day of \_\_\_\_\_ .

**DEPONENT**

- 1.** Attested copy of the Death Certificate(s) should be enclosed.
- 2.** Give also the name of the heirs of the predeceased son/sons and predeceased daughter/daughters of deceased under clause IV above along with the mother, widow, daughter or sons.
- 3.** In case the deceased lessee has left behind an unregistered/registered will, a copy of that will duly attested by the Gazetted Officer/Notary public should be sent along with the affidavits.
- 4.** If the will is probated, the No objection affidavits from the legal heirs is not required. However, in such cases a certified copy of probate order along with a copy of the will should be furnished by the applicant.
- 5.** If any one of the heirs wants to relinquish his/ her rights, he/she should execute and get registered Relinquishment Deed in favour of the heirs in whose favour they want to give up their rights. Original of certified copy of

Relinquishment Deed/ Releases Deed from the sub Registrar Office should be submitted with the application. All those who execute a relinquishment deed and get it registered need not give affidavits, only release Deed give their affidavits. Minpors, However, cannot give up their rights.

**6.** In case the deceased has left no will and the heirs have not executed Relinquishment Deed then all heirs should give their affidavits.

**7.** If it is not possible to obtain/renish the No Objection affidavits of all legal heirs the beneficiary/ beneficiaries should obtain a probate of the will from a compact court of Low.

**8.**..All affidavits should be got attested by 1st class Magistrate / Sub-Judge and given on Non. Judicial stamp paper of Rs 10/- and the copies of Death Certificate, will and Power of Attorney may got attested by any one of the following:-

- 1.** Gazzette Officer
- 2.** Member of Parliament
- 3.** Oath Commisioner
- 4.** Member of Metropolitan Council
- 5.** Notary Public (with notorial stamp of Rs. 3/-)