

IN THE COURT OF MS. SHEFALI BARNALA TANDON :
ADMINISTRATIVE CIVIL JUDGE- CUM- ADDITIONAL RENT
CONTROLLER (CENTRAL) : DELHI

Petition No. : SC/08/2020

In the matter of:-

Sh. Gurcharan Kohli,
S/o. Late Sh. Chander Pal Kohli,
R/o. 19/261, Block-19, Onkar Nagar,
Sarai Rohilla, Delhi-110035.

....Petitioner.

Versus

The State.

....Respondent.

Date of Institution : 16.01.2020

Date of order when reserved : 09.09.2020

Date of order when announced : 23.09.2020

J U D G M E N T

1. The present succession petition has been filed by the petitioner namely Sh. Gurcharan Kohli in respect of the debts and securities left by the deceased persons Sh. Chander Pal Kohli & Smt. Vinod Kohli @ Vinod Rani (hereinafter referred as the '*deceased persons*'), who expired on 10.10.2019 & 30.08.2019 respectively at Delhi, claiming that the '*deceased person*' were the father and mother of the present petitioner.

2. After filing of this petition, notice was given to the general public by way of publication in the newspaper '*Vir Arjun*' dated 19.02.2020, but none

has appeared from general public to oppose or contest the present petition.

3. In order to substantiate his case, the petitioner examined PW-1 Sh. Mahesh Kumar Dudeja, Customer Assistant, State Bank of India, Shastri Nagar branch, Delhi has brought the certified copy of statement of account in respect of SB account bearing No. 30417539752, lying in the name of Vinod Rani W/o. Sh. Chander Pal Kohli having balance of Rs.5,286/- exhibited as **Ex. PW-1/1**.

4. The petitioner Sh. Gurcharan Kohli examined himself as PW-2 and tendered his evidence by way of affidavit exhibited as **Ex. PW-2/A**, which bears his signatures at point A and B respectively. He has proved on record the copies of his Aadhaar Card and PAN Card as exhibit **Ex. PW-2/1** and **Ex.PW-2/2** respectively. It is stated that the '*deceased persons*' were his father and mother. He has proved the copies of Aadhar Card of the '*deceased persons*' as **Ex.PW-2/3** & **Ex.PW-2/4**. He has also proved the original death certificates of the '*deceased persons*' as **Ex. PW-2/5** & **Ex.PW-2/6**. It is deposed that there is no other legal heir of the deceased except him. He is the only legal heir of the '*deceased persons*'. It is stated that '*deceased persons*' had left behind various share certificates and saving accounts in their joint name. The '*deceased*'

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persons' had left behind a joint demat account with Axis Bank having DP ID bearing No. 300484 & Clint ID No. 12292405 as **Ex.PW-2/14**. The *'deceased persons'* had also left behind a joint account bearing no. 30417539752 with State Bank of India, Shastri Nagar Branch, Delhi & SB a/c No. 01392020000640 with Oriental Bank of Commerce, Old Rajinder Nagar branch, Delhi, the copies of passbooks of the said accounts are exhibited as **Ex.PW-2/7** & **Ex.PW-2/8** respectively. The debts and securities, left by the *'deceased persons'* is mentioned in Annexure A, which is exhibited as **Ex.PW-2/9**. **Ex.PW-2/10** is the letter dated 18.12.2019 issued by the Axis Bank Limited showing the statement of holding of the *'deceased persons'* ; **Ex.PW-2/11** & **Ex.PW-2/12** are the copies of share certificates of M/s. Steel Gujarat Limited and M/s.JCT Limited; **Ex.PW-2/13** is the copy of the dividends of M/s. Sun Pharmaceutical Ind. Limited granted from time to time. It is stated that the *'deceased persons'* did not execute any Will during their life time. The valuation of the shares are amounting to Rs.13,49,000/-. The *'deceased persons'* were ordinarily a resident of Delhi and there is no impediment for grant of succession certificate in his favour.

5. In view of the evidence adduced by the petitioner which has remained un-rebutted and un-controverted, the court is of the considered opinion that there is *prima-facie* no impediment for grant of Succession SC/08/2020.

Certificate in favour of the petitioner namely Sh. Gurcharan Kohli in respect of two saving bank accounts bearing No. 30417539752 & SB account No.01392020000640 maintained with State Bank of India, Shastri Nagar branch & Oriental Bank of Commerce branch, Old Rajinder Nagar, Delhi respectively, demat account maintained with Axis Bank having client ID No. 12292405, 300 shares of JCT Limited, 110 shares of Steelco Gujarat Limited & dividends warrant of Sun Pharmaceutical Ind. Limited for an amount of Rs.17,080/-, in terms of Ex. PW-1/1, Ex. PW-2/8, Ex. PW-2/10 to Ex. PW-2/12 & Ex. PW-2/13, having total amount of Rs.13,77,671.33p only lying in the name of 'deceased persons'.

Succession Certificate granted accordingly. Succession certificate be drawn on deposit of requisite court fee of Rs.27,553/- & on furnishing an Indemnity Bond with one surety within 15 days.

File be consigned to Record Room.

SHEFALI BARNALA
TANDON

Digitally signed by SHEFALI
BARNALA TANDON
Date: 2020.09.23 16:17:36 +05'30'

Announced through
Video conferencing
23.09.2020

(SHEFALI BARNALA TANDON)
Administrative Civil Judge-cum-ARC
Additional Rent Controller (Central)
Delhi.

THIS JUDGMENT CONTAINS 4 PAGES