

**ishwar Devi Grover and ors. Vs. State**

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**SooperKanoon Citation :** [sooperkanoon.com/1161720](http://sooperkanoon.com/1161720)

**Court :** Delhi

**Decided On :** Jul-23-2014

**Judge :** Rajiv Shakdher

**Appellant :** ishwar Devi Grover and ors.

**Respondent :** State

**Advocate for Def. :** Mr. Jayendra

**Advocate for Pet/Ap. :** Mr. Sandeep P. Agarwal, Mr. Rajesh Pathak

**Judgement :**

\$~38 \* IN THE HIGH COURT OF DELHI AT NEW DELHI + TEST.CAS. 83/2013  
ISHWAR DEVI GROVER & ORS ..... Petitioners Through: Mr. Sandeep P.  
Agarwal and Mr. Rajesh Pathak, Advocates versus STATE ..... Respondent  
Through: Mr. Jayendra, Advocate % CORAM: HON'BLE MR. JUSTICE RAJIV  
SHAKDHER

**ORDER**

2307.2014 1. By this petition, probate is sought of WILL dated 04.03.2013 (Ex. PW1/1). The petitioners comprise of the wife and two sons, a daughter and grandson of the Testator, one Sh. Bhagwan Dass Grover. The wife is arrayed as petitioner no.1. The two sons are arrayed as petitioner nos.2 and 3, while the daughter and the grandson are impleaded as petitioner nos.4 and 5 respectively.

2. The said WILL (Ex. PW1/1) bears the signatures of one Dr. Rajiv Dingra (PW-1). PW-1 who has testified that the testator executed the document, PW1/1 dated 04.03.2013 in his presence and the presence of the other attesting witness, that is, Smt. Ishwar Devi Grover, i.e., petitioner no.1. PW-1 has further deposed that the testator signed the document PW1/1 in his presence and in the presence of petitioner no.1. TEST.CAS. 83/2013 page 1 of 2 2.1 It is also stated by PW-1 that the testator at the stage of execution of the document PW1/1 was in a good and sound disposing state of mind.

3. Therefore, having regard to the fact that there is no objection on record to the grant of probate, and given the testimony of PW-1, I am inclined to grant probate, as prayed for by the petitioners as the execution of WILL (Ex. PW1/1) has been proved in accordance with law.

4. Accordingly, WILL dated 04.03.2013 (PW1/1) will stand probated. The valuation report, I am told, is already on record. The Registry will do the needful including calculate and recover, if necessary, the requisite court fee. Decree sheet be drawn up accordingly.

5. The petition is disposed of in the aforesaid terms. RAJIV SHAKDHER, J  
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