

**Sanjay Sehgal Vs. State and Others**

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**SooperKanoon Citation :** [sooperkanoon.com/1171250](http://sooperkanoon.com/1171250)

**Court :** Delhi

**Decided On :** Aug-19-2014

**Judge :** G. S. Sistani

**Appellant :** Sanjay Sehgal

**Respondent :** State and Others

**Judgement :**

§~ 38 \* IN THE HIGH COURT OF DELHI AT NEW DELHI + TEST.CAS. 96/2012  
SANJAY SEHGAL Through: ..... Petitioner Mr.Jaspreet Singh, Advocate versus  
STATE & OTHERS Through ..... Respondent CORAM: HON'BLE MR. JUSTICE  
G.S.SISTANI

ORDER

1908.2014 % 1. Present petition has been filed by the petitioner under Section 276 of the Indian Succession Act for grant of probate with respect to the Will dated 17.04.2004 executed by late Sh.Inder Nath Sehgal, who expired on 16.9.2005 at New Delhi.

2. Notice was issued to the State to file the valuation report. Citation was ordered to be issued in the Hindustan Times and The Tribune. Copy of the newspaper containing the citation has been filed. Valuation report has also been filed. The close relations have filed their no objection to the grant of probate in favour of the petitioner. Petitioner has filed affidavit by way of evidence of the petitioner.

3. A copy of the death certificate of Sh.Inder Nath Sehgal, has been exhibited as Ex.PW-1/2. The details of property left behind by Sh.Inder Nath Sehgal, which has been exhibited as Ex.PW-1/3. The legal heirs of late Sh.Inder Nath Sehgal, have filed no objections to the affidavit.

4. Petitioner has also deposed on the lines of the petition. Mr.Ashwani Kumar, one of the attesting witnesses to the Will is present in court today TEST.CAS. 96/2012 1 of 2 and he has been examined. According to the attesting witness, the testator was in good health at the time of execution of the Will. It is also deposed that the Will bears the signatures of the testator at point A and he signed the Will, as a witness at point B. The second witness (Sushil Kumar), had signed as a witness in his presence at point C. It is also deposed that Late Sh.Inder Nath Sehgal, had signed the Will in his presence and in the presence of the second attesting witness, Sushil Kumar and they had signed as witnesses in his presence. The Will has been exhibited as PW1.

5. Having regard to the evidence placed on record, there is no legal impediment for grant of probate with respect to the Will dated 17.4.2004 of late Sh.Inder Nath Sehgal, in favour of the petitioner. Accordingly, the present petition is allowed, subject to petitioner furnishing court fees and administrative bond.

6. Petition stands disposed of, in above terms. G.S.SISTANI, J AUGUST19 2014  
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