

APPLICATIONS UNDER THE INDIAN SUCCESSION ACT

IN THE HIGH COURT OF DELHI AT NEW DELHI
(TESTAMENTARY & INTESTATE JURISDICTION)

PROBATE CASE NO.OF 2017

IN THE MATTER OF

X APPLICANT/PETITIONER

VERSUS

1. State.....

2. Y RESPONDENTS

PETITION FOR GRANT OF PROBATE

To

The Hon'ble Mr Justice....., Chief Justice and his Companion
Justices of this Hon'ble Court

The humble petition of.....residing at.....in the town
of Calcutta the sole executor of the Will of the said deceased most respectfully sheweth

1. That the said.....the deceased above named lately residing at.....in the town of
Calcutta within the jurisdiction aforesaid who was in his life-time and at the time of his death
a Hindu governed by the.....School of Hindu Law departed his life at his dwelling house at
No.....in the town of Calcutta on the.....date of.....2012.....having duly executed
his Will and Testament in English language and character bearing date the.....and a Codicil
thereto also in the English language and character bearing date the.....whereby and whereof he appointed your petitioner his sole executor.

2. That the signature of the testator of the said Will was duly attested amongst others
by.....and the signature of the testator in the codicil was duly attested amongst others
by.....The execution of the said Will is proved by a declaration of.....one of the attesting
witnesses to the said will and the execution of the said codicil is proved by a declaration
of.....one of the attesting witnesses to the said codicil. The said declarations are hereto
annexed.

3. The deceased above-named died leaving properties within the jurisdiction of this
Hon'ble Court to be administered and your petitioner is desirous of obtaining from the
Hon'ble Court a probate of the said Will above named with effect throughout the union of
India.

4. That the particulars of the estate of the deceased above-named with so far as your petitioner has been able to ascertain are likely to come into the hands of your petitioner as such executor as aforesaid are set out in the affidavit of assets of your petitioner affirmed on the.....day of.....and the value of the estate will not after deducting the liabilities, with the best of petitioner's information and belief, exceed the sum of Rs.....

5. That so far as your petitioner has been able to ascertain and is aware there are no properties and effects other than those specified in the affidavit of assets.

6. The petitioner undertakes in case of any other properties and effects coming to his hands to pay Court-fees payable in respect thereof.

7. That no intimation has been received by this Hon'ble Court from any other High Court or any other Court in the Union of India of any Grant of Probate or Letters of Administration to the estate and credits and effect of the said deceased as appeared from the Registrar's Certificate hereto annexed and marked with letter "B".

8. That the amount of the value of the estate likely to come to your petitioner's hands does not exceed Rs.....and the duty payable in respect of the said estate as will appear from the certificate of the Taxing Officer hereto and marked with the letter "C" has been paid.

9. That your petitioner is desirous of obtaining Grant of Probate of the said last Will and Testament dated the.....as also the said codicil dated.....of the deceased above-named out of and under the seal of this Hon'ble Court as sole executor named in the codicil.

The petitioner therefore humbly prays to Your Lordships for an order:-

(1) That probate of the last Will and Testament dated.....together with the Codicil thereto dated.....of the deceased above-named be granted to your petitioner the said.....as the sole executor named therein with effect throughout the Union of India.

(2) That your petitioner hereby undertake to pay to the State or other party entitled thereto the fees of Court in case the estate shall hereafter be found to be of greater gross value than Rs.....

(3) That your petitioner be at liberty to pay in the first instance out of the funds of the estate to come into his hands the costs of and other incidental expenses to this application and all costs that might be necessary in the premises to be taxed by the Taxing Officer of this Hon'ble Court.

(4) That such further and other orders be made and directions given as to this Hon'ble Court may seem fit and proper.

And your petitioner, as is duty bound, shall every pray.

Delhi.

PETITIONER

Dated :

THROUGH

ADVOCATE

[NOTE : To be supported by an affidavit]

* * * * *

IN THE COURT OF THE DISTRICT JUDGE (DISTRICT _____), DELHI
CASE NO.....UNDER ACT XXXIX OF 1925

IN THE MATTER OF A PETITION FOR LETTERS OF ADMINISTRATION
 OF THE ESTATE OF THE LATE _____

IN THE MATTER OF:

X _____ ... PETITIONER

VERSUS

1. STATE _____

2. Y _____ RESPONDENTS

PETITION FOR GRANT OF LETTERS OF ADMINISTRATION

The humble petition of.....of.....most respectfully showeth:-

1. That the late A.B. of.....died at.....on theday of2004.....leaving properties situate within the jurisdiction of this Court. A description of the said properties is set forth in the affidavit annexed to the petition.

2. That a description of the relatives of the deceased, and their respective residences are given below:

(1) Son (Petitioner)

(2) Brother, Sri.....resident of.....

(3) Widow, Sreemati.....resident of.....

(4) Mother, Sreemati.....resident of.....

(5) Daughter, Sreemati.....resident of.....

3. The petitioner is the son of the deceased, and as such is entitled to letters of administration to the estate of the deceased.

4. The deceased abovenamed died leaving properties in the suchedule annexed.

5. That, to the best of your petitioner's belief, no application has as yet been made by anybody to any other Court for letters of administration of the estate of the said deceased.

6. Under the circumstances set forth above, your petitioner prays that letter of administration to the estate of A.B. may be granted to your petitioner.

And your petitioner as in duty bound shall every pray.

I _____ the petitioner in the above petition, do hereby declare that what is stated therein is true to the best of my information and belief.

Delhi.

PETITIONER

Dated :

THROUGH

ADVOCATE

NOTE : To be supported by an affidavit]