

LAST WILL AND TESTAMENT



KNOW ALL MEN BY THESE PRESENTS that this LAST AND FINAL WILL, TESTAMENT, CODICIL of mine i.e. XXXXXXXXXXXX aged 67 years (having Aadhar No. XXXXXXXXXXXXXXXXXX and PAN No. XXXXXXXXXXXX), daughter of SHRI XXXXXXXXXXXX, resident of XXXXXXXXXXXXXXXXXX is made on this day of March 2018.

WHEREAS I, XXXXXXXXXXXX {d/o SXXXXXXXXXXXXXXXXX resident of XXXXXXXXXXXXXXXXXXXX, India} am the current sole, absolute, exclusive owner and I have the sole/absolute/exclusive physical possession of the:

- a. Entire Second Floor of property bearing no. XXXXXXXXX comprising of 4 Bedrooms with attached toilet, One Drawing cum Dining Room, One Kitchen, Lobby, Family Loung, Front and Rear Balconies, One Servant Quarter with right to use common W.C. on the top terrace, and;
- b. One Car parking space in the driveway inside the building alongwith;
- c. 33 % of the undivided, indivisible and impartible ownership rights in the said plot of land measuring 418 square yards bearing no. XXXXXXXXXXXXXXXXXX with all rights, title and interest, easements, privileges and appurtenances thereto, with all fittings and fixtures, connections, structure standing thereon, with all rights in common driveway, entrances, passages, staircase and other common facilities and amenities provided therein,

(All hereinafter together referred to as the "said property").

AND WHEREAS the plot of land bearing no. XXXXXXXXXXXXXXXXXX (hereinafter referred to as the "said plot") was acquired by two persons namely one Shri. C.L. Gaur S/o of Shri Shambhoo Ram and one Shri Krishan Kumar Gaur S/o of Shri. C.L. Gaur from the President of India, through the Government Servants Cooperative House Building Society Limited via a Perpetual Sub-lease deed dated XXXXXXXxx, duly registered as Document No. XXX, in Addl. Book No. I, Volume No. 2801, on pages 98 - 104, on XXXXXXXXXXXX in the office of Sub-Registrar, New Delhi.

AND WHEREAS a residential building on the said plot was constructed by Shri. XXXXXXXX and XXXXXXXXXXXXXXXX comprising of Basement, Ground Floor, First Floor with garage block with their own funds and resources after getting the building plan sanctioned from D.D.A. vide their file No. XXXXXXXXX Bldg. dated XXXXXXXXX and also obtained Occupancy Certificate thereof from D.D.A. vide their file No. XXXXXXXXX Plan No. XXXXXXXXX dated XXXXXXXXX

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AND WHEREAS Shri. XXXXXXXX died intestate leaving) behind his 6 legal heirs namely XXXXXXXX (widow), XXXXX (son), XXXXX (son), XXXXX (son), XXXXX XXXXX (daughter), XXXXX (daughter). Consequent on his death, his half share in the undivided said plot devolved upon them, absolutely to the extent of 1/2th undivided share each. Subsequently, on the death of Smt. XXXXX W/o Shri. XXXXX, her share in the undivided said plot also equally devolved upon her five above named legal heirs.

AND WHEREAS in the manner aforesaid, the following persons became the absolute owner/sub-lessees of the said plot in the following ratio: XXXXX (son) – 60 % , XXXXXXX (son) - 40 %.

AND WHEREAS the said plot was mutated in the joint names of XXXXX owners/sub-lessees in the record of D.D.A. on dated XXXXX.

AND WHEREAS thereafter, the said plot was converted from being leasehold to a freehold one on payment of conversion charges and a Conveyance Deed on dated XXXXX was executed in favour and in the names of all in the office of the Sub-Registrar, Sub District No. XXXXX New Delhi as document no. XXXXX, entered in Addl. Book. No. I, Vol. No. XXXXX on Pages No. XXXXX.

AND WHEREAS XXXXX sold and transferred his entire 100 % rights in the undivided said plot to one XXXXX (P) Limited Company, duly incorporated under the Companies Act, 1956 having its registered office a XXXXX vide Sale Deed dated XXXXX, duly registered as Document No. XXXXX in Addl. Book No. I, Vol. No. 8, on pages XXXXX in the Office of the Sub- Registrar- IX, South – West, New Delhi. t

AND WHEREAS upon purchase of the said plot, XXXXX (P) Limited Company demolished the existing old structure and reconstructed/redeveloped a residential building on the said plot, comprising of Ground Floor, First Floor, Second Floor with terrace and became the sole and absolute owner in possession of the said plot.

AND WHEREAS the said property on the said plot was purchased by me, namely XXXXX from the XXXXX (P) Limited Company for a due and valuable consideration vide Sale Deed dated XXXXX, duly registered as Document No. XXXXX, in Addl. Book No. I, Vol. No. XXXXX, on pages XXXXX in the Office of the Sub- Registrar- IX, South – West, New Delhi. Subsequently, the said property was also mutated in my name i.e. XXXXX on on XXXXX

AND WHEREAS in the manner aforesaid, I, XXXXX, the TESTATOR herein became the sole, absolute and exclusive owner of the said property on the said plot. I, the TESTATOR have full right, absolute authority and right to make this will, and no one else except me i.e. the TESTATOR has any right, claim, title or interest in the said property on the said plot.

WHEREAS the TESTATOR hereby assures, represents and covenants the following:

A) That the said portion of the said residential property is free from all encumbrances such as sales, gift, mortgage, disputes, litigation, acquisition, attachment in any decree of court, lien, court injunctions, Will, Trust, Exchange, legal flaws, claims, prior agreement to Sell, etc. whatsoever or howsoever.

B) That there is no order of attachment by the Income Tax Authorities or any other authorities under the law for time being in force or by any other authority nor any notice of acquisition or requisition has been received

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C) That excepting the TESTATOR nobody else have any right, title, interest, claim or demand whatsoever or howsoever in respect of the said property.

D) That there is no legal impediment or bar whereby the TESTATOR can be prevented from making this will, transferring and vesting the absolute title of the said residential property.

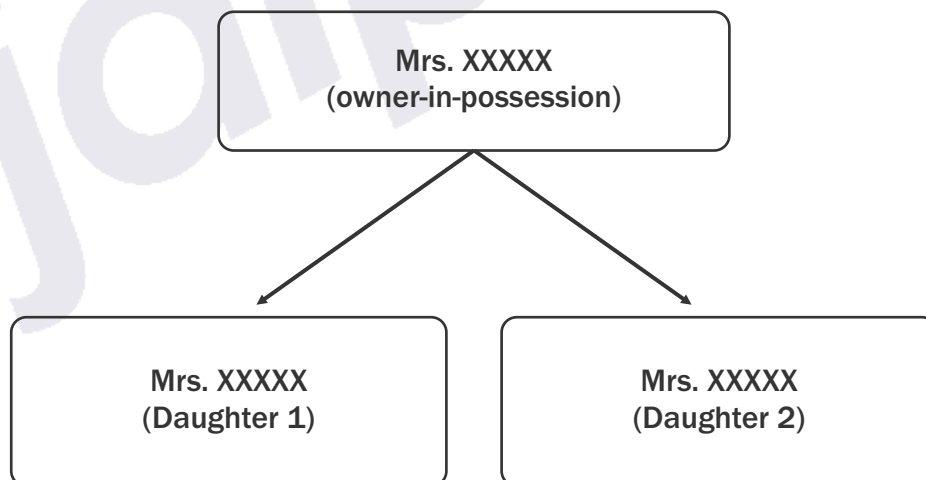
E) That there is no subsisting agreement for sale and the same has not been transferred in any manner whatsoever, in favour of any person or persons.

F) That there is no notice of default or breach on the part of the Testator of any provisions of law in respect of the said property.

AND WHEREAS I am executing this last and final will and testament of mine voluntarily in sound health and disposing state of mind and without any fear, threat, undue influence, coercion, compulsion or pressure from any source. I hereby revoke all former wills, codicil, and testamentary disposition (if any) made by me, registered/unregistered which may be treated as null and void.

AND WHEREAS life is uncertain and God knows when one may cease to exist and hence, I am executing this last and final will and testament of mine. I, XXXXX am lucky to be blessed with two daughters namely:

- a. XXXXX D/o XXXXX, aged 40 years, R/o XXXXX holding Passport No. XXXXX, currently holding Singapore Identity Card (NRIC) No. S XXXXX dated XXXXX and Aadhar Card No. XXXXX and currently residing at Apartment No. XXXXX (having Mobile No. XXXXX and e-mail id XXXXX) and;
- b. XXXXX D/o XXXXX, aged 40 years, R/o XXXXX holding Passport No. XXXXX, currently holding American Green Card (US CIS Card) No. XXXXX and Aadhar Card No. XXXXX currently residing at XXXXX (having Mobile No. XXXXX and e-mail id XXXXX) and;



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AND WHEREAS both my daughters namely Mrs. XXXXX and Mrs. XXXXX are very respectful and affectionate towards me and they both have always performed all their parental obligations and duties towards me, and continue to do so.

NOW THEREFORE, THIS WILL WITNESSETH AS FOLLOWS:-

1. That the engagement and condition of this will is that so far as I am alive I shall remain the sole and absolute owner of the said property including Entire Second Floor of property bearing no. XXXXX comprising of 4 Bedrooms with attached toilet, One Drawing cum Dining Room, One Kitchen, Lobby, Family Lounge, Front and Rear Balconies, One Servant Quarter with right to use common W.C. on the top terrace. I shall have full power of disposition over this said property and shall be entitled to realize and receive the benefits/rent/sale proceeds accruing from the said property.
2. That after my death, I hereby bequeath the entire said immovable property to both my daughters namely **Mrs. XXXXX** and **Mrs. XXXXX** in equal share.
3. That the Property tax/House Tax, electricity and water dues should be borne by both my daughters namely **Mrs. XXXXX** and **Mrs. XXXXX** in equal share.
4. That I also hereby bequeath all my investments, bonds, post office investments, fixed deposits, insurance, savings and recurring bank accounts proceeds to both my daughters namely **Mrs. XXXXX** and **Mrs. XXXXX**, in equal share, the details of which have been specified herein below:
 - a. HSBC Bank, South Extension, Part I, New Delhi – 110057, India - 1 Savings Bank Account and Mutual Funds.
 - b. Post Office C Block Market, Vasant Vihar, New Delhi – 110057, India – National Savings Certificates; Public Provident Fund (PPF); Savings Bank Account; Recurring Deposit; Senior Citizen Saving Scheme; Kisaan Vikas Patra.
5. That I hereby specifically bequeath my lockers in the manner specified herein below: The ICICI Bank Locker, XXXXX, XXXXX, New Delhi and XXXXX Bank Locker to my daughter **Mrs. XXXXX** and the Bank of India Locker, XXXXX XXXXX New Delhi, India to my daughter **Mrs. XXXXX**.
6. That I also bequeath all my furniture, fixtures, fittings, carpets, paintings, pictures, drawing and things and all other articles of personal, domestic or household use of decoration, consumption placed in the said property to both my daughters namely **Mrs. XXXXX** and **Mrs. XXXXX** in equal share.
7. That this last and final will made by me, Mrs. XXXXX shall supersede all the nominations and names (if any) entered in the banks, insurance policies, investments, fixed deposits, post office investments and saving/recurring bank accounts by me.
8. That no third party namely from my family or from outside my family except my two daughters namely **Mrs. XXXXX** and **Mrs. XXXXX** will have any legal right on this property in whatsoever condition. No Third Party from my family or from outside my family including will have any legal right to challenge/oppose/contest this last and final will bequeathed and made by me.

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In witness whereof, I have set my hands on the said document and completed the execution in the presence of witnesses on the day of month of 2018 as mentioned above.

TESTATOR

Smt. XXXXX

WITNESSES:-

1.

S/o

R/o

Aadhar No.

Mob:

ID No.

2.

S/o

R/o

Aadhar No.

Mob:

ID No.