

Court No. - 9

Case :- TESTAMENTARY CASES No. - 17 of 2023

Petitioner :- In The Matter Of Goods Of Late Rajendra Kumar Chawla By Hem Chawla

Respondent :- Na

Counsel for Petitioner :- Adesh Kumar

Counsel for Respondent :- Akhileshwar Pratap Singh

Hon'ble Rohit Ranjan Agarwal,J.

1. Heard Sri Adesh Kumar, learned counsel for the petitioner and Sri Akhileshwar Pratap Singh, learned counsel appearing for legal heirs.
2. Petitioner- Hem Chawla S/o Late Rajendra Kumar Chawla, is seeking Letters of Administration to the estate and the credits of the deceased Late Rajendra Kumar Chawla and Late Rajmohini Chawla, who are reported to have died on 17th October, 2013 and 09th December, 2021 at their residence 1-A/43, Chak Ponghat, Bamrauli, District-Prayagraj (Allahabad). Death certificates dated 11.12.2013 and 27.01.2022 have been brought on record, as per which Late Rajendra Kumar Chawla died on 17.10.2013 and Late Rajmohini Chawla died on 09.12.2021. The next of kins of the deceased has been specified in para 4 of the petition.
3. On the presentation of the petition, notices were directed to be issued to the Administrator General U.P. Notice of this petition was also directed to be served on Board of Revenue of U.P.
4. The citation of the petition was directed to be published in two newspapers namely, 'Pioneer' (English) and 'Aaj' (Hindi) on 03.04.2023, both published from Prayagraj.
5. Learned counsel appearing for Administrator General has filed his report stating that as per the records maintained in the

office of Administrator General U.P. High Court, Allahabad, no case for issuance of letter of administration in respect of estate of Late Rajendra Kumar Chawla S/o Late Khairati Lal Chawla and Late Smt. Rajmohini Chawla W/o Late Rajendra Kumar Chawla has been filed either by petitioner or by any other person in the office.

6. The report of Deputy Registrar, Sadar (Ist), District-Prayagraj dated 24.06.2023 states that the valuation of the property is Rs.17,11,351/-.

7. An affidavit of service has been filed bringing on record original copies of the newspapers 'Aaj' (Hindi) and 'Pioneer' (English) both published on 02.05.2023 from Prayagraj and Lucknow, respectively.

8. Pursuant to that notice, affidavits of no objection has been filed by Rajeev Chawla and Smt. Nisha Dandona through their lawyer Sri Akhileshwar Pratap Singh.

9. In view of above, the matter is non-contentious in nature.

10. The deceased had died at their residence and their death certificates dated 11.12.2013 and 27.01.2022 have been signed by Deputy Registrar, Nagar Nigam, Allahabad as well as Registrar (Birth and Death), Nagar Nigam, Zone-6, Transport Nagar, Prayagraj.

11. The Registrar General of the Court has certified under Rule 8 of Chapter XXX of the Rules of the Court that he has received no intimation from any other High Court or District Court of any grant of probate of any Will or Letters of Administration of the property and credits of the above-named deceased throughout the territory of India. Hence, the present petition is the first and the only petition seeking grant of Letters of Administration to the estate and credits of both the deceased.

12. The petitioner has filed details of the property/credits left behind by the deceased. As per the affidavit of valuation, the estimated total valuation of the property is Rs.16,45,530.15/- which is in Post Office Savings Account No.275807135 with Allahabad City Post Office in the name of Smt. Rajmohini Chawla and Rajendra Kumar Chawla and the total valuation of property as per the report of Deputy Registrar, Sadar (Ist), District- Prayagraj is Rs.17,11,351/-. The petitioner is directed to deposit the court fees on the amount mentioned in the report of Deputy Registrar, Sadar (Ist), District- Prayagraj which is Rs.17,11,351/-.

13. In view of the aforesaid facts and circumstances, as the petitioner is son of the deceased and the other heirs of the deceased have expressed their no objection to the grant of letter of administration to the petitioner, coupled with the fact that no one else has appeared to contest the grant, I consider it fit and appropriate to permit the petitioner to administer the estate/credits of the deceased.

14. Accordingly, Letter of Administration is granted to the estate and credits of the deceased Late Rajendra Kumar Chawla and Late Rajmohini Chawla in favour of the petitioner-Hem Chawal S/o Late Rajendra Kumar Chawla and Late Rajmohini Chawla subject to the Registrar General certifying payment of court fee as contemplated under Rule 9 of Chapter XXX of the Rules of the Court and on his executing administration bonds in accordance with Chapter XXX Rule 26 of the Rules of the Court. The petitioner will thereafter comply with rules and submit the statement of accounts in the Court in accordance with the rules.

15. Petition is, accordingly, **allowed**.

Order Date :- 30.11.2023 // SK Goswami