

Court No. - 9

Case :- TESTAMENTARY CASES No. - 101 of 2022

Petitioner :- Smt. Lalita Devi, In The Matter Of Late Raghubeer Singh Yadav

Respondent :- Na

Counsel for Petitioner :- Balbir Yadav

Hon'ble Rohit Ranjan Agarwal,J.

1. No objections filed today on behalf of next of kins are taken on record.

2. Heard learned counsel for the petitioner.

3. Petitioner- Smt. Lalita Devi w/o Late Raghubeer Singh Yadav is seeking Letters of Administration to the estate and the credits of the deceased Late Raghubeer Singh Yadav, who is reported to have died on 24.11.2019 at 67, Jhawani Ka Pura, Rajapur Chaubara, Holagarh, Soraon, Prayagraj. A death certificate dated 17.12.2019 has been brought on record, as per which Raghubeer Singh Yadav died on 24.11.2019. The next of kin of the deceased has been specified in para 3 of the petition.

4. 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.

5. The citation of the petition was directed to be published in two newspapers namely, 'Pioneer' (English) and 'Aaj' (Hindi) on 09.11.2022, both published from Allahabad (Prayagraj).

6. Learned counsel appearing for Administrator General has filed his report that as per the records maintained in the office of Administrator General U.P. High Court, Allahabad, an application

for grant of letter of Administration in respect of estate of Late Raghubeer Singh Yadav was filed in the office which was registered as case no. 41 of 2021. However, the said case was dismissed on 24.05.2022.

7. The report of Deputy Registrar, Soraon, District- Prayagraj dated 13.01.2023 states that the valuation of the property is Rs.7,43,462.00/-.

8. An affidavit of service has been filed bringing on record original copies of the newspapers 'Aaj' (Hindi) and 'Pioneer' (English)' both published on 30.11.2022 and 01.12.2022, respectively from Allahabad (Prayagraj).

9. Pursuant to that notice, affidavits of no objection has been filed by Deepa Yadav, Pooja Yadav, Ranveer Yadav and Yashveer Yadav through their lawyer Ms. Pooja Yadav.

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

11. The deceased had died at 67, Jhawani Ka Pura, Rajapur Chaubara, Holagarh, Soraon, Prayagraj and his death certificate dated 17.12.2019 has been signed by ADO Panchayat, Panchayati Raj Vibhag, Holagarh, Prayagraj.

12. 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 the deceased.

13. 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.7,61,860.00/- (Rupees Seven Lacs Sixty One Thousand Eight Hundred Sixty only) which is lying in different Fixed Deposit accounts and Savings Account of Punjab National Bank, Branch- Mukundpur, District- Prayagraj, and the total valuation of property as per the report of Deputy Registrar, Soraon, District- Prayagraj is Rs.7,43,462.00/-. The petitioner is directed to deposit the court fees on the amount mentioned in affidavit of valuation which is Rs.7,61,860.00/-.

14. In view of the aforesaid facts and circumstances, as the petitioner is widow 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.

15. Accordingly, Letter of Administration is granted to the estate and credits of the deceased Late Raghubeer Singh Yadav in favour of the petitioner- Smt. Lalita Devi w/o Late Raghubeer Singh Yadav 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 her 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.

16. Petition is, accordingly, allowed.

Order Date :- 30.10.2023

V.S.Singh