



HIGH COURT OF JUDICATURE AT ALLAHABAD

TESTAMENTARY CASES No. - 79 of 2022

Mohd. Naseem In The Matter Of The Goods Of
Late Raabiya

.....Petitioner(s)

Versus

Na

.....Respondent(s)

Counsel for Petitioner(s)	:	Raj Narayan
Counsel for Respondent(s)	:	

Court No. - 1

HON'BLE NEERAJ TIWARI, J.

1. Ms. Kusum Lata, advocate has filed no objection affidavits of Sadrun Nisha and Muin along with vakalatnama today in Court, which are taken on record.
2. Heard learned counsel for the petitioner and Ms. Kusum Lata, learned counsel appearing for legal heirs.
3. Petitioner- Mohd. Naseem S/o Late Mazahar is seeking Letters of Administration to the estate and the credits of the deceased Raabiya, who is reported to have died on 30.04.2021 at Karma, Karchhana, Prayagraj. A death certificate dated 20.09.2021 has been brought on record, as per which Late Raabiya died on 30.04.2021. The next of kin of the deceased has been specified in para-4 of the affidavit to the petition.
4. On the presentation of the petition, notices were directed to be issued to the next of kins and 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, 'The Pioneer' (English) and 'Aaj' (Hindi) on 27.07.2023, both published from 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, no case for issuance of letter of administration

in respect of estate of Late Raabiya has been filed either by petitioner or by any other person in the office.

7. Pursuant to order dated 27.07.2023, Board of Revenue has not filed any objection till date and schedule of property of the petition consists only an amount of Rs. 97,601.91/-, which is lying in State Bank of India. Hence, report of Board of Revenue is hereby exempted.

8. An affidavit of service has been filed bringing on record original copies of the newspapers 'Aaj' (Hindi) and 'The Pioneer' (English) both published on 23.08.2023 respectively from Prayagraj and Lucknow.

9. Pursuant to that notice, affidavits of no objection has already been filed today by Sadrun Nisha and Muin through their lawyer.

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

11. The deceased had died at Karma, Karchhana, Prayagraj and his death certificate dated 20.09.2021 has been signed by Registrar (Birth and Death), Gram Panchayat, Karma, Karchhana, 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 schedule of property, an amount of Rs. 97,601.91/- is lying in the account of State Bank of India, Branch-Karma Bazar, Prayagraj. The petitioner is directed to deposit the court fees on the aforesaid amount mentioned which is Rs. 97,601.91/-.

14. 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.

15. Accordingly, Letters of Administration is granted to the estate and credits of the deceased Late Raabiya in favour of the petitioner- Mohd. Naseem S/o Late Mazahar 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.

16. Petition is, accordingly, **allowed**.

(Neeraj Tiwari,J.)

September 26, 2025

Arvind