

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY AND INTESTATE JURISDICTION**

**MISC. PETITION NO. 14 OF 2017**

Laxmikant Baburao Chandragiri .. Deceased

The Administrator General,  
Maharashtra State .. Petitioner

Mr.U.S.Upadhyay, AGP for petitioner.

Mr.S.G.Adake, Petitioner present.

**CORAM : K.R.SHRIRAM, J.  
DATE : 15<sup>TH</sup> FEBRUARY, 2017**

**P.C.**

1 This petition has been filed by the Administrator General of the State of Maharashtra under Section 10 of the Administrators General Act, 1963. In the petition, it is stated that the office of Administrator has received notice on 15<sup>th</sup> December 2016 pertaining to Testamentary Suit No.944 of 2015 in respect of the estate of one Smt.Sharayu Baburao Chandragiri (Deceased) forwarding an order dated 14<sup>th</sup> December 2016 passed by this Court in the said Testamentary Suit. Upon perusing copy of the petition and the documents annexed thereto and after taking search and exhaustive enquiry, the petitioner felt it would be proper to file the petition under Section 10 of the Administrators General Act, 1963 for administering of the estate of the deceased. The petitioner has stated that petitioner does not

know the exact date of death the deceased. However, after going through the abovesaid Testamentary Suit No.944 of 2015, the petitioner came to know that the deceased died as a bachelor. The petitioner also came to know that the deceased was residing at Room No.12, First Floor, Gulab Bhuvan, 173, Babasaheb Jaykar Marg, Thakurdwar, Mumbai 400002 and left behind property within Greater Mumbai and other parts of the State of Maharashtra. The petitioner has submitted application (Exh.'D' to the petition) to the concerned authority requesting for the copy of Death Certificate of the deceased. It is stated that the petitioner died intestate and there are no legal heirs to the deceased. It is further stated that the parents of the deceased predeceased the deceased. The deceased had only one sister, viz., Smt.Sharayu Baburao Chandragiri, who died intestate at Mumbai on or about 16<sup>th</sup> November 2011. The petitioner states that the averments made in the Testamentary Petition No.944 of 2015 shows that the petitioner is seeking letters of administration about the assets of the deceased Smt. Sharayu Baburao Chandragiri on the pretext of administration of Educational Trust, viz., Shikshantadnya Ma.Laxmikant Baburao Chandragiri and Danshur Shikshantadnya Smt. Sharayu Baburao Chandragiri Trust.

2 The petitioner has submitted that since various enquiries have

revealed facts which are at variance with what is stated in the Testamentary Petition No. 944 of 2015, which has since been allowed to be withdrawn by a separate order passed today, the petitioner to this petition states they came to know that the deceased was holding joint accounts with his sister Smt. Sharayu Baburao Chandragiri, for whose administration of estate a separate petition is being filed by this petitioner.

3 In the petition, the list of the estate left behind by the deceased has also been listed at Exh.'E'. The Administrator General has accordingly sought directions from the Court to be appointed. The Administrator is required to be appointed for the estate of the deceased to prevent the same from being wasted, damaged, trespassed, lost or misused or arbitrarily disposed by the creditors and others.

4 In view of the facts stated in the petition filed by the petitioner, it would be necessary for the Court to grant the relief sought in order to administer the estate of the deceased. The Administrator General, in accordance with the provisions of the Administrator General's (Maharashtra) Rules, 1970 shall give notice as provided in Rule 5. The Administrator General shall now proceed to exercise his powers in accordance with the law including the Rules.

5      The petition is made absolute in terms of prayer clauses (a), (b) and (c) and accordingly disposed.

**(K.R. SHRIRAM, J.)**