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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ TEST.CAS. 44/2019

SHUKLA CHATTERJEE & ANR. Petitioners
Through: Ms. Preeti Thakur, Advocate

versus

STATE (GOVT. OF NCT OF DELHI) Respondent
Through: Ms. Sangita Rai, Advocate

CORAM:
HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

% **27.01.2020**

1. The present petition under Section 278 of the Indian Succession Act, 1925 has been filed for grant of letters of administration in respect of the estate of late Mr. Swapan Kumar Chatterjee.
2. It is stated in the petition that the deceased died *intestate* on 08.02.2019 at Sri Balaji Action Hospital, Delhi. He was a resident of House No.19-A, Nivedita Enclave, A-6, Paschim Vihar, New Delhi-110063.
3. The petitioners are the wife and daughter of the deceased. It is stated that they are the only class-I heirs of the deceased in terms of the Hindu Succession Act, 1956. It is specifically pleaded that the mother of the deceased had pre-deceased him on 29.03.1995.
4. The moveable and immovable properties of the deceased are enumerated in the schedule of properties annexed to the present petition.

5. Notice was issued in the petition on 30.05.2019 and, pursuant to that order, citations have been published in 'Statesman' and 'Navbharat Times', having circulation in Delhi, Ghaziabad and Calcutta. No objections have been received from any party.
6. The petitioners have also filed their affidavits of evidence, and were produced for recording of their statements. As there was no opposition to the petition, they were not cross-examined.
7. The valuation reports of the properties have also been requisitioned from concerned authorities, and have been filed in this Court.
8. In these circumstances, the petition is allowed, and letters of administration are granted in favour of the petitioners, subject to payment of requisite court fees. Following the judgments of this Court in *Sanjay Suri vs. State & Ors.* AIR 2004 Del 9 (paragraph 28), and *Richa Pardeshi vs. State & Ors.* (2012) 131 DRJ 92, the petitioners, being the only heirs of the deceased, are exempted from furnishing of an administration bond or surety.
9. The petition stands disposed in above terms.

PRATEEK JALAN, J

JANUARY 27, 2020

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