

OD-51

ORDER SHEET

PLA 342 of 2022  
IN THE HIGH COURT AT CALCUTTA  
TESTAMENTARY & INTESTATE JURISDICTION  
ORIGINAL SIDE

IN THE GOODS OF :  
KOSHALYA CHETANRAM SHAHANI @ KOSHALYA C. SHAHANI, DECEASED

BEFORE:  
The Hon'ble JUSTICE ARINDAM MUKHERJEE  
Date: 27<sup>th</sup> April, 2023.

Mr. R. K. Khanna, Mr. Aman Khemka, Advocates for petitioner.

The Court : This is an application for grant of Letters of Administration of the estate left behind by the deceased. The husband of the deceased predeceased her and she died issueless. The estate of the deceased has been inherited by her from her father's side and as such under the provisions of Section 15 and 16 of the Hindu Succession Act, 1956 on her death in intestacy would devolve unto the heirs of her father, namely, the brothers and sisters treating the father to have died intestate immediately after the death of the deceased. The only heirs in intestacy of the deceased were her brother's widow, namely, Chandra Daljeet and Smt. Rubina Thadani, the daughter of the brother of the deceased.

In the instant case the applicant, Rubina Thandani is the daughter of a predeceased brother of the deceased. The only person who could object to the grant is the widow of another pre-deceased brother, namely, Chandra Daljeet. Chandra Daljeet had given consent to the grant but before the grant

could be made, the said Chandra Daljeet died on 4<sup>th</sup> September, 2022. The applicant has filed an affidavit stating about the death of Chandra Daljeet along with a copy of the death certificate. The said affidavit affirmed on 11<sup>th</sup> April, 2023 is taken on record.

Since there are no heirs in intestacy or any person having known right to object to the grant who is required to be cited, let Letters of Administration be granted to the applicant in terms of prayer (a) of the petition subject to furnishing a personal bond of Rs.17 lakhs with one surety.

The petition for Letters of Administration is accordingly disposed of.

(ARINDAM MUKHERJEE, J.)