

OD-3

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA
TESTAMENTARY AND INTESTATE JURISDICTION
ORIGINAL SIDE

PLA/259/2024

IN THE GOODS OF:
ASHA JAIN, DECEASED

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date: January 16, 2025.

Appearance:

Mr. Anuj Singh, Adv.

Ms. Trinisha De, Adv.

Ms. Niharika Singh, Adv.

...for the petitioner

The Court: Mr. Anuj Singh, learned counsel, is appearing for the petitioner.

The petitioner has filed the present application for grant of Letters of Administration of the property left behind by the deceased, namely, Asha Jain.

Counsel for the petitioner submits that the husband of Asha Jain, namely, Pradeep Kumar Jain was pre-deceased to her and died on 22nd August, 2015. Asha Jain died on 12th April, 2021. Asha Jain left behind her two legal heirs, i.e., Jeevesh Jain who was the son and Nitya Jain, who is daughter. Jeevesh Jain, the son of Asha Jain also died on 14th April, 2021 leaving behind his wife, who is the petitioner herein, namely, Reetika Jain and two minor daughters, namely Aadya Jain and Anvi Jain.

Now, the petitioner has filed the present application for grant of Letters of Administration of the assets left behind by the deceased Asha Jain. The sister-in-law of the petitioner i.e. the daughter of the deceased Asha Jain has filed affidavit stating that after demise of Jeevesh Jain being

the only son of the deceased, his half share in the estate of the deceased is jointly inherited by his widow, Reetika Jain and two minor daughters, namely, Aadya Jain and Anvi Jain, thus each of them currently hold 1/6th share in the estate of the deceased.

Heard the Learned Counsel for the petitioner. Perused the materials on record, death certificates of Asha Jain, Pradeep Jain and son, Jeevesh Jain and affidavit of Nitya Jain.

This Court finds that the petitioner is having two minor daughters and the daughter of deceased Asha Jain, namely, Nitya Jain admitted that the petitioner and her minor daughters inherited 1/6th share in the estate of deceased.

In view of the above this Court finds that the petitioner is entitle to set Letters of Administration in the joint name of the petitioner as well as two minor daughters.

The department is directed to issue Letters of Administration to the petitioner subject to furnishing bond of Rs. 23,00,000/- with two sureties upon compliance of all formalities.

PLA/259/2024 is disposed of.

(KRISHNA RAO, J.)