

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 19th March, 2025

FOR ISSUANCE OF CITATION :

10. TP/1194/2025 P. C. Shri. Krishna Goghikar i/b Kalyani Kabra Ld. Advocate for the
[Original] : Petitioner
(ECHCBM0207336
2024)

1. Perused Petition. This petition is filed by Agastyaa Ajay Salvi through his mother namely, Abhidnya Ajay Salvi.
2. The deceased, namely Ajay Madhukar Salvi, died as divorcee leaving behind him his minor son, as his only heir.
3. Hence, vide Sec. 246 of the Indian Succession Act, 1925, minor can not present the petition for grant of Letters of administration. In this regard, Sec. 246 of the IS Act, is required to be looked into, which reproduced as under, -

“Sec. 246. Administration for use and benefit of lunatic or minor.—If a sole executor or a sole universal or residuary legatee, or a person who would be solely entitled to the estate of the intestate according to the rule for the distribution of intestates' estates applicable in the case of the deceased, is a minor or lunatic, letters of administration with or without the will annexed, as the case may be, shall be granted to the person to whom the care of his estate has been committed by competent authority, or, if there is no such person, to such other person as the Court may think fit to appoint, for the use and benefit of the minor or lunatic until he attains majority or becomes of sound mind, as the case may be.”

4. Hence, the mother being guardian of the said minor son can present the petition for grant of Limited Grant of Letters of Administration until said minor attends the age of Majority vide Sec. 246 of IS Act.
5. Furthermore, the Correct information of the legal heirs as per the provisions of the Hindu Succession Act, 1956,
6. S. O. to 03.04.2025

19.03.2025

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