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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

TESTAMENTARY PETITION NO. 5805 OF 2025

Roopa Udayan Kikani .. Deceased

Krishnavallabh Salonvalabh Goswami .. Petitioner

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- Mr. Dhishan Kukreja a/w Mr. Suraj Dube, Advocates for Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 12, 2025.

P.C.:

- 1.** Heard Mr. Kukreja, learned Advocate for Petitioner.
- 2.** This Petition is filed by father of the deceased. Deceased is a lady named Roopa Udayan Kikani. It is filed for seeking Letters Of Administration to the property and credits of the deceased. It is averred in the Petition that deceased is the daughter of Petitioner. Petitioner is 87 years old. Mother of deceased i.e. wife of Petitioner is 79 years old. They both are residents of Ahmedabad. It is seen that mother has given consent in favour of Petitioner for seeking the Grant.
- 3.** Husband of deceased predeceased her on 19.03.2009. His death certificate is not annexed to the Petition. It is averred in paragraph No.4 that deceased had no children and Petitioner is not aware about the family of the husband of deceased. It is averred in the Petition that except the father and mother of deceased there are no

other legal heirs of deceased known to the knowledge of the Petitioner.

4. Department has raised objection in the requisition dated 25.11.2025 calling upon Petitioner - father to state about legal heirs of deceased as per Section 15(1)(b) read with Sections 8 to 13 of the Hindu Succession Act, 1956 and has also called upon him to disclose the native place of the husband of deceased.

5. Petitioner seeks dispensation of the same. It is stated in the Petition that to the best of knowledge of Petitioner, there is no other next-of-kin left behind by the husband of deceased and deceased. This statement should suffice for dispensing with the objection raised in the requisition dated 25.11.2025. With respect to the statement regarding disclosure of native place of husband who expired in 2009 i.e. 17 years ago, Mr. Kukreja, learned Advocate informs that according to his instructions he was hailing from Ahmedabad (Village Dholka).

6. A request is made by Mr. Kukreja, learned Advocate for Petitioner that under Section 254 of Indian Succession Act, 1925 Administrator should be appointed in such circumstances.

7. I have considered the submissions made. Petitioner is the father of deceased. In that view there can be no impediment in allowing the Petition. Misc. Petition is therefore allowed and disposed of in terms relief as prayed for dispensing with the objections raised in the requisition dated 25.11.2025.

- 8.** Letters of Administration / Grant be issued in favour of Petitioner. In so far as the other legal heir namely mother of the deceased is concerned her consent is already appended to the Petition.
- 9.** Issuance of proclamation stands dispensed with.
- 10.** Department is directed to issue the Letters of Administration as directed above within a period of 3 weeks from today positively.
- 11.** Testamentary Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department.
- 12.** Testamentary Petition is disposed.

[MILIND N. JADHAV, J.]

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