

Received On : 29/12/2025

Registered On: 29/12/2025

Disposed On: 04/05/2026

Duration :

IN THE COURT OF 07TH ADDITIONAL CIVIL JUDGE,
RAJKOT.

CIVIL MISC. APPLICATION No. 2862/2025

Shri Anjanaben Parmananddas Ghaghada,

Adult, Household,

Address :-

Flat No. 102, First Floor, Deep Darshan – A,

Kevdavadi, Street No. 5-B, Rajkot.

.....APPLICANT

**Sub:- An application for obtaining Letters of Administration
without Will in respect of the immovable property of
deceased Parmananddas Odhavjibhai Ghaghada.**

Advocate:-

Mr. H. N. Mithani, learned advocate for the applicant.

:: J U D G M E N T ::

- 1] The applicant has filed this application for obtaining Letters of Administration without Will in respect of the immovable property left by deceased Parmananddas

Odhavjibhai Ghaghada as mentioned in Schedule at Mark 1/1. The applicant has stated that deceased Parmananddas Odhavjibhai Ghaghada was his father, who expired on 13/02/2021 at Rajkot without making any will or testament in respect of his immovable property and thereby, he claims to be the heir of deceased Parmananddas Odhavjibhai Ghaghada. The applicant has produced a death certificate of deceased Parmananddas Odhavjibhai Ghaghada at Exh. 11. The applicant has prayed to obtain Letters of Administration without Will in respect of the immovable property left by deceased as mentioned in Schedule at Mark 1/1.

- 2] The public notice inviting objection to the grant of Letters of Administration without Will published in daily newspaper 'Sanj Samachar' dtd. 07/01/2026 and the copy of said newspaper is produced on record vide Ex. 21. In response to the publication of the said notice, one of his heir Pravinaben Chandulal Jagda has appeared through her Ld. Advocate, but thereafter, arrived at compromise and filed her consent affidavit at Exh. 22.
- 3] In support of this application, the applicant has filed her final affidavit at Ex. 16, wherein she has reiterated the facts of the application and supported the facts of the application. Mainly she has stated that deceased Parmananddas Odhavjibhai Ghaghada was her father, who expired on 13/02/2021 at Rajkot. Further, she has stated that after publication of notice in daily newspaper 'Sanj Samachar' dt. 07/01/2026, no one has appeared to

file any objection and therefore, she has prayed to issue Letters of Administration without Will in her favour in respect of the immovable property left by deceased.

- 4] The other nearest relative and heir of the deceased Parmananddas Odhavjibhai Ghaghada have filed their respective consent affidavits at Exh. 17 to Exh. 20 and Exh. 22 and Exh. 23, wherein they have consented to issue Letters of Administration without Will in favour of the current applicant. The pedigree affidavit filed by Anjanaben Parmananddas Ghaghada is produced at Exh. 26.
- 5] In this application, the applicant has produced true copy of Sale Deed at Exh. 12 along with Copy of Property Register Card at Exh. 14 and perusing the same, deceased Parmananddas Odhavjibhai Ghaghada is the owner of the immovable property as mentioned therein.
- 6] The applicant side has filed pursis at Exh. 27, wherein he is ready and willing to pay the maximum court fees. In view of the above, the applicant is liable to pay maximum Court fees, i.e. Rs. 75,000/-, so far value of the immovable property left by deceased is concerned.
- 7] The applicant has filed a closing purshish at Ex. 28 for completion of his evidence.
- 8] Looking to the record of the case and the evidence produced by the applicant, the applicant has complied with requirements to grant Letters of Administration without Will in respect of the immovable property left by deceased Parmananddas Odhavjibhai Ghaghada as

mentioned in Schedule at Mark 1/1 and no one appeared to file any objection in response to the publication of notice in daily newspaper as discussed above. The nearest relatives & heirs of deceased have also filed affidavit and given their consent for issuing Letters of Administration without Will in favour of the applicant so far the immovable property left by deceased is concerned. Therefore in view of above discussion, there is no reason to disbelieve the version of the applicant and accordingly, the applicant's application requires to be allowed. Hence, in the interest of justice, following final order is passed.

:: ORDER ::

The applicant's application is hereby allowed. The Letters of Administration without Will be issued in the name of the applicant Shri Anjanaben Parmananddas Ghaghada in respect of the immovable property left by deceased Parmananddas Odhavjibhai Ghaghada as mentioned in Schedule at Mark 1/1 on production of maximum Court Fees, Rs. 75,000/- on value of the immovable properties.

Signed and pronounced in the open Court today on this 04th day in the month of May - 2026.

Date:- 04/05/2026

RAJKOT

(**Abhay Sanjay Khandelwal**)

7th Additional Civil Judge,

RAJKOT

UIC No. GJ 01662