

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

PETITION NO. _____ OF 20__

Petition for Letters of Administration to the
property and credits of

*[Insert name in full, nationality, domicile,
religion(in case of Muslim, state Sect Shia
or Sunni), marital status, occupation and,
place of residence at the time of death. If
the deceased was a bachelor or spinster,
that should be stated]*

.... Deceased

_____)

_____)

_____,)

(insert full name, age, nationality, domicile,)

Occupation and full address))

being the _____)

(mention exact capacity / relationship to the)

Deceased) of the abovenamed Deceased.)

.... PETITIONER

*(if Petition is filed through Constituted Attorney, full name, age, nationality,
domicile, occupation and full address of said Constituted Attorney should be*

mentioned before the name of original Petitioner and a true copy of Power of Attorney should be annexed and marked as Exhibit, See Rule 394)

THE PETITION OF THE PETITIONER ABOVE NAMED

TO

THE HONOURABLE THE CHIEF JUSTICE AND JUDGES OF THE HIGH COURT

SHEWETH:

(1) That the abovenamed _____
(insert full name of the Deceased) died at _____
(insert place of death of the Deceased) on or about the _____ day of
_____, 19___ / 20___ *(insert date of death of the Deceased)*.

A true copy of Death Certificate of the Deceased is annexed hereto and marked as Exhibit “_____” and a true copy of identity proof of the Deceased is annexed hereto and marked as Exhibit “_____”. *(if no identity proof is available, say so and mention reason and annexe a true copy of documentary proof in support thereof)*

(2) That the said deceased at the time of his death had a fixed place of abode at _____
and/or left property within Greater Bombay and in the State of Maharashtra and elsewhere in India. *(details may be corrected as per the facts of the case)*

(3) That the said deceased died intestate and that due and diligent search has been made for a Will but none had been found.

(4) That the said deceased left him surviving as his only heirs and next-of-kin according to _____ Indian Succession Act, 1925 OR Hindu Succession Act, 1956 OR Mohammedan Law, applicable to Shia OR Sunni Muslims _____ (*state what Law / name of the Act / name of personal applicable to the Deceased*), the following persons, who are residing at the addresses set out against their respective names :-

Sr. No.	Name and Address	Age	Relationship with the Decased

(5) That the Petitioner as _____ (*state the relationship to the Deceased*) of the deceased claims to be entitled to a _____ (*mention exact share of Petitioner*) share of his estate.

(6) The Petitioner has truly set forth in Schedule No.I, hereto annexed and marked as Exhibit "_____", all the property and credits which the Deceased died possessed of or entitled to at the time of his death which have or are likely to come to the Petitioner's hands.

(7) That the Petitioner has truly set forth in Schedule No. II, hereto annexed and marked Exhibit "_____" all the items that by law, he is allowed to deduct for the purpose of ascertaining the net estate of the Deceased. (*delete this para if there are no such items*).

(8) That, the Petitioner has truly set forth in Schedule No. III, hereto annexed and marked Exhibit "_____" the property held by the Deceased as a trustee for another and not beneficially or with general power to confer a beneficial interest. *(delete this para if there is no such property).*

(9) That the assets of the deceased after deducting the items mentioned in Schedule No. II but including all rents; interest and dividends which have accrued since the date of the death of the Deceased and increased value of the assets since the said date are of the value of Rs. _____
(insert net total amount of Schedule of Petition).

(10) That no application has been made to any District Court or District Delegate or to any High Court for Probate of any Will of the said Deceased or for Letters of Administration with or without the Will annexed to his property and credits. *[or if made, state to what Court, by what person and what proceedings have been taken].*

(If petition is filed after three years from the death of the deceased, please explain delay(see Rule 382)).

The Petitioner, therefore, prays that Letters of Administration may be granted to him having effect throughout the State of Maharashtra *[insert words "throughout India", if any property is situated outside the State of Maharashtra].*
[insert words "limited until the original Petitioner shall come in and apply for Letters of Administration", if Petition is filed through Constituted Attorney]

Sworn / Solemnly affirmed at _____)

This _____ day of _____, 20____)

Advocate for Petitioner

Petitioner

VERIFICATION

I, _____, (insert full name of the **Petitioner**) the Petitioner abovenamed, do **swear in the name of God / solemnly affirm** that what is stated in paragraphs _____ is true to my own knowledge, and what is stated in the remaining paragraphs _____ is stated on information and belief and I believe the same to be true.

Sworn / Solemnly affirmed at _____)

This _____ day of _____, 20____)

Before me,

Advocate for Petitioner