

**IN THE HIGH COURT OF FIJI
AT SUVA
PROBATE JURISDICTION**

HPP No. 107 of 2024

IN THE MATTER of Section 7 (c) of the
Succession, Probate and Administration Act
1970.

**AND IN THE MATTER OF THE
ESTATE OF PUSHPA WATI**

APPLICANT: **SULOCHANI** also known as **SULOCHANI KUMAR** of Kashmir,
Lautoka, Production Manager.

Representation:

Ms. Saumaki (On Instruction from Chaudhry & Associates)

Date of Hearing: 10th December 2024.

Decision

- [1] The Applicant has filed originating summons seeking that leave be granted to her to apply for and obtain the grant of letters of administration in the Estate of Pushpa Wati. The application is with an affidavit of the Applicant.
- [2] Section 7 of the Succession, Probate and Administration Act 1970 provide as follows:
- “The Court may grant administration of the estate of a person dying intestate to the following persons (separately or conjointly) being not less than 18 years of age –*
- (a) the wife or husband or de facto partner of the deceased; or*
 - (b) if there is no wife or husband or de facto partner, to one or more of the next of kin in order of priority of entitlement under this act in the distribution of the estate of the deceased; or*
 - (c) any other person, whether a creditor or not, if there is no person entitled to a grant under paragraphs (a) and (b) resident within jurisdiction and fit to be so entrusted, or if the person entitled as aforesaid fails, when duly cited, to appear and apply for administration.”*
- [3] The applicant is the step daughter of the deceased. The applicant’s father was in a de facto relationship with the deceased. The applicant was brought up by the deceased since she was 2 years old.

- [4] Pushpa Wati passed away in August 2001. I am informed that her parents are deceased. I am also informed that she had a brother. He is now deceased. She does not have any children of her own. It is over 23 years since the demise of Puspha Wati. No one has lodged or sought her Probate or Letters of Administration.
- [5] Having noted Section 7 of the Succession, Probate and Administration Act 1970 I find that the deceased does not have a husband or de facto partner, or one or more of the next of kin in order of priority of entitlement under this act in the distribution of the estate of the deceased.
- [6] The applicant is over 18 years of age. She has shown that she and the deceased were registered proprietor of Housing Authority Lease No. 435471. I am satisfied that the applicant is a person entitled under Section 7 (c) of the Succession, Probate and Administration Act 1970 to seek the grant of Letters of Administration of Pushpa Wati. I therefore grant her leave to apply for the same.

Court Orders

*Leave granted to **SULOCHANI** also known as **SULOCHANI KUMAR** of Kashmir, Lautoka to apply for and obtain the grant of letters of administration in the Estate of Pushpa Wati who died on 21st August 2001.*

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Chaitanya S.C.A Lakshman
Puisne Judge

14th February 2025

