

IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(DAR ES SALAAM DISTRICT REGISTRY)
AT DAR ES SALAAM

PROBATE AND ADMINISTRATION CAUSE NO. 59 OF 2019

In the matter of the Estate of the Late **NURBANU FIROZ SOMJI**

AND

In the matter of Application for Probate by **SHEMINA BHOJANI**
PETITION FOR LETTERS OF ADMINISTRATION WITH THE WILL ANNEXED

RULING

Date of last order: 26.02.2020 .

Date of Ruling: 27.02.2020

EBRAHIM, J.:

Semina Bhojani of Dar Es Salaam has petitioned before this Court for grant of Letters of Administration of the Estate of the late **Nurbanu Firoz Somji** who passed on at Agakhan Hospital on 24th May 2018. The death certificate of the deceased has been appended with the petition.

It is further petitioned that the deceased left an executed will and testament and the petitioner, i.e. Shemina Bhojani is the person named in the Will to be the sole executor and trustee of the Will and she is also a daughter of the deceased.

When this petition was called for hearing, Counsel for the Petitioner, William Mang'anya told the court that they have complied with filing of all requisite documents as required by law as well as issuing a general citation in the Daily News and Mwananchi Newspaper of 20th December 2019. They also published at page 17 of the Government Gazette of 10th January 2020 with issue no. ISSN 0856-0323.

Mr. Mang'anya stated further that reasonable time has passed since the publication and there is no any caveat or objection that has been registered so far. He prayed for the petitioner to be granted with letters of administration.

Indeed, **Section 3 of the Probate and Administration of the Estates Act, Cap 352 RE 2002 ("the Act")** confers jurisdiction to this court in all matters relating to Probate and Administration of deceased's estates in granting probate of wills and letters of administration to the deceased's estate and powers to alter or revoke such grants.


I have carefully gone through the records as well as the petition. The petitioner has indeed filed all the requisite legal forms under the law. The documents include executor's oath under **Section 66 Rule 65 of**

the Act; Affidavit to accompany petition for grant by sole administrator under **Rule 32**; Affidavit as to domicile of the deceased under **Rule 64** that the deceased was residing at Upanga Mindu Street Dar Es Salaam; Verification of petition for probate under **section 57(2) and Rule 34 of the Act** by Noor Firoz Walli as one of the witnesses to the last Will; Administration Bond with sureties under **section 67 Rule 66**; and the Will. All the assets for execution which are likely to come to the hands of the petitioner are well articulated in the Will annexed.

From the above observations and considering that there are no caveats or objections I am satisfied that the Petitioner has established sufficient grounds warranting the grant of the Letters of Probate Administration. I therefore grant this application as prayed and SHEMINA BHOJANI is hereby appointed as an administratrix of the Estate of the **Late NURBANU FIROZ SOMJI** and the letters of administration be issued to her. **SHEMINA BHOJANI is** further ORDERED to administer the estate of the deceased and execute the will as required and file the necessary inventory before the Deputy Registrar of the High Court within six month from the date of appointment unless further period is granted.

In order to ensure compliance and ascertain the status of the same,
the matter shall be mentioned on 27th August, 2020.

Accordingly ordered



R.A. Ebrahim
Judge

Dar Es Salaam
27.02.2020