IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

IN THE DISTRICT REGISTRY OF ARUSHA

AT ARUSHA

PROBATE & ADMINISTRATION CAUSE NO. 11 OF 2020

IN THE MATTER OF THE ESTATE OF THE LATE

DILIP SHRIPAD GOKHALE.....DECEASED

AND

IN THE MATTER OF AN APPLICATION FOR LETTERS OF

ADMINISTRATION BY RAHUL DILIP GOKHALE.....PETITIONER

RULING

29/06/2021 & 29/06/2021

GWAE, J

The petitioner, **RAHUL DILIP GOKHALE** is before this court petitioning for grant of letters of administration of the estate of his late father **DILIP SHRIPAD GOKHALE** (deceased) who died intestate on the 16th October, 2020 at Arusha Lutheran Medical Center in Arusha. The deceased at the time of his death is said to have a fixed place of abode at Njiro, in Arusha Region.

The petition is to the effect that, the deceased is survived by the following heirs, namely; SHUBHADA DILIP GOKHALE, ASHISH DILIP GOKHALE, NIKHIL DILIP GOKHALE and RAHUL DILIP GOKHALE. It is further stated that the estimated

value of the estate particularly shares in various family companies that is likely to be administered by the petitioner which are about **Tanzania Shillings One Hundred Million only. (Tshs. 100,000,000/=)** and monies in various banks. The deceased person's shares and monies in Bank Accounts are as follows;

1. MS Africasia Seed Company Limited, Tanzania.
2. MS Africasia Seed Kenya Limited, Kenya.
3. MS Africasia Seed Company Limited, Uganda.
4. MS Africasia Seed Nigeria Limited, Nigeria.
5. MS Arusha Tin Containers Limited and
6. Bank Accounts kept with Bank of Baroda.
7. Bank Accounts kept with National Bank of Commerce.
8. Bank Accounts kept with UBS, Switzerland.
9. Bank Accounts kept with Basler Kantonal Bank, Switzerland.

The petitioner was able to make a requisite citation through **MWANANCHI** Newspaper dated 08th May 2021 and in the Government, Gazette dated 7th May 2021 respectively. On hearing of this petition, the petitioner was represented by the learned counsel, Mr. Valentine Nyalu who informed this court of the requisite citation done by the applicant and further prayed for the grant of this petition as no caveat that has been filed ever since the matter was duly filed in this court. The learned counsel for the petitioner went on stating that, there is a need to have a person to administer the estates of the deceased in especially making follow ups on the issues related to Tanzania Revenue Authority (TRA) as far as far the

properties left by the deceased person. Together with this petition, the petitioner has attached also a copy of the death certificate.

I have carefully considered the petition and the oral submission by the petitioner's counsel, I see no reason as to why letters of administration should not be granted in favor of the petitioner for the reasons that, one, ever since the petition has been filed in this court together with the citation to the public, no caveat that has been entered or filed in this curt in respect of the petition or whatsoever, secondly, I have gone through the petition it appears that the deceased left a number of properties which basically cannot be left unattended more so, the petitioner is a son of the deceased and thus he cannot be denied the right to administer the estate of his late father unless otherwise.

The purpose of appointing administrators or granting of probate to executors is merely to protect deceased's properties so as to ensure that they are not left unattended or wasted unjustifiably and also to safeguard the interests of those who are intended to benefit from the said properties.

From the circumstances of this matter, I am of the considered view that since the petition has disclosed that deceased person left properties it is prudent that such properties fall under the administration of the administrator dully appointed by this court so that the said properties are not misapproprited.

That being said and told, the petitioner, **Rahul Dilip Gokhale** is hereby granted letters of administration of the state of his late father, **DIlip Shripad Gokhale**

The appointed administrator is hereby ordered to administer the deceased's estate according to the law. He is further directed to make and exhibit inventory of the deceased's estate in this court within **six (6)** months from the date of this ruling and present final accounts after 12 months from the date of this order.

It is so ordered.

M.R. GWAE
JUDGE
29/06/2021

COURT: Mention on 30/12/2021 for ascertainment of the filing of the inventory by the administrator.

M.R. GWAE
JUDGE
29/06/2021