

**In Re: E. Mccomiskey, Deceased**

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**SooperKanoon Citation :** [sooperkanoon.com/857222](http://sooperkanoon.com/857222)

**Court :** Kolkata

**Decided On :** Aug-01-1893

**Reported in :** (1893)ILR20Cal879

**Judge :** Sale, J.

**Appellant :** In Re: E. Mccomiskey, Deceased

**Judgement :**

**Sale, J.**

1. I think the Administrator-General should not be required to verify otherwise than by his signature the statement as to the value of the assests likely to come to his hands, though such statement may be required for the purpose of obtaining a remission of Court fees under rule 697 of Belchambers' Rules and Orders, page 278. Section 16 of the Administrator-General's Act requires that every petition for administration under that Act should contain a statement as to the value of the assets likely to come into the petitioner's hands. That statement is sufficiently verified by his signature under Section 17 of the Act. It would be an extraordinary result if such statements were held to be sufficiently proved by signature only under the Act, and yet that the same statements should be required to be proved by affidavit for the purposes of the rule. I think the effect of the Act is to do away with the requirements of the rule so far as proof of the statement as to assets is concerned.

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