

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 03rd May, 2023

NOT ON BOARD, TAKEN ON BOARD:

502. TP/795/2015

P. C. : Shri. Vijay Badgujar Advocate for the Petitioner

1. The matter is not listed on the board, taken on board. The office has placed the petition before me. The Ld advocate has filed the Vakalatnama. Furthermore, though Ld. Advocate for the petitioner submitted that he has uploaded the JOT in a Petition. However, it is not shown in the Portal. Ld. Advocate for the petitioner submitted that he has mentioned the matter before the Hon'ble Court and the Hon'ble Court has allowed to list on tomorrow's Board. This statement is given in the writing by way of praecipe and therefore, this submission is accepted.

2. In a draft of the Judge's Order date of affidavit is kept blank, therefore the petitioner to correct the same and month of the proposed Judge's Order.

3. Ld. Advocate for the petitioner has submitted following documents along with the draft such as:-

1. Affidavit of the petitioner;
2. Copy of the Grant issued on 19.08.2015 in Testamentary Petition No. 795/2015;
3. Copy of the Grant issued on 19.09.2002 in Testamentary Petition No. 126/2002;
4. Copy of share certificate issued by the Co-op Housing Society in the name of the petitioner;
5. Copy of memorandum of Understanding regarding the sale of the property, mentioned in the petition;

4. The description of the property is correct

as per the petition and the Grant. Names of the proposed purchasers are correct as per the documents.

5. The petitioner is the sole surviving legal heirs of the deceased as per the petition. Hence, consent of others are not obtained. As per the clauses of the Will, the sale proceeds of the property which is proposed to sale are suggested to be distributed as per the provisions. 10% amount is to be given to sister of the deceased namely Malati. According to the petitioner said Malati died issue less and such averment is in the petition and in the affidavit of the petitioner.

6. The Ld. Advocate for the petitioner to submit the corrected draft as suggested. Upon submission of corrected draft it be placed before the undersigned to verify that corrections have been carried out and upon completion of all requirement, it be numbered as per the Rule.

7. Removed from the Board.

03.05.2023

**Officer on Special Duty,
with Testamentary Department**