

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 WRIT PETITION NO. 12185 OF 2017

RENUKA RAMESH GITE
VERSUS
KAMLESH ASARAM GITE

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Advocate for Petitioner : Mr. G.R. Syed

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CORAM : V. K. JADHAV, J.
DATED : 12th MARCH, 2018

PER COURT:-

1. In terms of provisions of Section 383 r.w. 390 of Indian Succession Act 1925, the legal heirship certificate granted under Part X of the Act of 1925 may be revoked for the causes as detailed in Section 383, clauses (a) to (e). It appears that the petitioner instead of filing an application under Section 383 r.w. 390 of the Act of 1925, for revocation of the certificate on the ground that the certificate was obtained fraudulently by making false statement or by concealment of material facts, filed the present writ petition.

2. In view of the same, the petitioner may file an application under Section 383 r.w. 390 of the Act of 1925 before the same Court, which has granted earlier heirship certificate. Writ petition is accordingly disposed of. No costs.

(V. K. JADHAV, J.)

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