

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
JUDGE'S ORDER NO. 134 OF 2018
IN
PETITION NO. 620 OF 2014

Abida Ahmed Furniturewala

..... Deceased

Fuad Ahmed Furniturewala

**..... Petitioner/
Applicant**

Ms.S.P.Trivedi, i/b. A.Bharat & Co. for the Petitioner/Applicant.

CORAM : R.D. DHANUKA, J.

DATE : 26th NOVEMBER, 2018

P.C.

By this Judge's Order, the petitioner seeks permission to sell or develop the immovable property shown in the Schedule of the petition situated in the State of Chennai at serial no.3 in the Schedule of Assets to the Letters of Administration i.e. 1/4th share in the House, Ground and premises bearing Door No.1, Cathedral Garden, Nungambakkam, Chennai – 600 034.

2. It is the case of the petitioner that the deceased mother of the petitioner had $\frac{1}{4}$ undivided share in the said property. The other legal heirs of the said deceased have given consent affidavit supporting Judge's Order.

3. The name of the other persons who have share in the said property are disclosed in paragraph (3) of the affidavit in support of the Judge's Order. They are not served with the copy of the Judge's Order.

In absence of the other co-owners, the petitioner cannot be granted any permission to sell or develop the said property.

4. Judge's Order is accordingly dismissed. There shall be no order as to costs.

[R.D. DHANUKA, J.]