

Atul

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
TESTAMENTARY AND INTESTATE JURISDICTION  
INTERIM APPLICATION NO. 482 OF 2021  
IN  
MISCELLANEOUS PETITION NO. 2 OF 2021**

|                   |               |
|-------------------|---------------|
| Kavita Savio Lobo | ...Petitioner |
| <i>And</i>        |               |
| Savio Harold Lobo | ...Deceased   |

---

**Mr Nimesh Nemchand Savla, *for the Petitioner.***

---

**CORAM: G.S. PATEL, J  
DATED: 5th April 2021**

**PC:-**

1. A heirship certificate was granted on 6th January 2021. The Petitioner widow has two minor sons, aged 14 and 11. They have a share in the one bedroom, hall and kitchen flat E-320, third floor, E Building, Arihand Aksh, Barrage Road, Kulgaon, Badlapur (West), District Thane 421 503.

2. The Petitioner proposes to sell the flat for an aggregate consideration of **Rs. 26.50** lakhs. The Applicant is a 50% owner of that flat. The three heirs have a 1/3rd share each in the 50%, i.e. Rs. 4,41,667/-. The Applicant has brought to Court two deposit receipts for the shares of two minor sons. There are two separate certificates

of the Bank of India confirming the deposits of Rs. 4.50 lakhs each, a little more than the computed share of each minor.

3. In view of this, the Interim Application is made absolute in terms of prayer clauses (a), (b) and (c).

4. All concerned will act on production of an ordinary copy of this order.

**(G. S. PATEL, J)**

**Note:** This order is modified as per order dated 7th April 2021 to show the corrections in paragraph 2. The same are shown in bold and underlining.