

Ashwini

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 93 OF 2021**

Sunita Avdhut Chikhalkar ...Petitioner

Avdhut Gopinath Chikhalkar ...Deceased

**WITH
TESTAMENTARY PETITION NO. 2169 OF 2021
WITH
WILL NO. 880 OF 2021**

**IN
TESTAMENTARY PETITION NO. 2169 OF 2021**

Prakash Ramchandra Bhosale ...Petitioner

Avadhut Gopinath Chikhalkar alias Awadhut ...Deceased
Gopinath Chikhalkar

**WITH
TESTAMENTARY PETITION NO. 1463 OF 2021**

ASHWINI
HULGOJI
GAJAKOSH

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ASHWINI HULGOJI
GAJAKOSH
Date: 2021.08.27
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Sunita Avdhut Chikhalkar ...Petitioner

Avdhut Gopinath Chikhalkar ...Deceased

None, for the Petitioner.

Mr Harish Pawar, for Petitioner in TP-2169-2021.

CORAM: G.S. PATEL, J
DATED: 26th August 2021

PC:-

1. The heirship Petition cannot be accepted. There is a Testamentary Petition No. 2169 of 2021 that propounds a Will of the deceased. That is filed by the executor named in the Will seeking Probate. There is yet another Testamentary Petition No. 1463 of 2021 filed by this very Petitioner. In that Testamentary Petition No. 1463 of 2021, the Petitioner seeks Letters of Administration. Obviously, therefore, the Petition for an heirship certificate cannot be accepted. The Petition is dismissed. This is without prejudice to rival rights and contentions in the Testamentary Petitions.

2. This order will be digitally signed by the Private Secretary/Personal Assistant of this Court. All concerned will act on production of a digitally signed copy of this order.

(G. S. PATEL, J)