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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 135 OF 1990**

Mohamed Obedulla Chinoy & Ors	...Petitioners
And	
Rasubai Suleman Chinoy	...Deceased

Mr Jai Munim, *Bachubhai Munim & Co, for the Petitioner.*

**CORAM: G.S. PATEL, J
(Through Video Conferencing)**

DATED: 8th April 2021

PC:-

1. Heard through video conferencing.

2. This order will clarify paragraph 5 of my order dated 10th March 2021 for the limited purpose of permitting the Petitioners to continue with the administration of the estate.

3. The disposition in the Will in question relates only to one particular property at serial No. 9D of the schedule of assets. This is the only property that is required to be given as a bequest to charity. The rest of the assets are not part of the charitable bequest and will, therefore, be administered according to Sunni Hanafi Law governing the succession of the parties.

4. The requirement from the Registry that the Petitioners should file an undertaking that the entire estate be given to charity is unwarranted and is dispensed with. The undertaking will be limited to the property at serial No. 9D of the schedule of assets.
5. In any case, the value of that property or of the deceased's share in that property is only Rs. 50,662/-, about 11.4% of the value of the entire estate. This is noted.
6. Registry to proceed accordingly.
7. All concerned will act on production of an ordinary copy of this order.

(G. S. PATEL, J)