

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 07th June, 2023

FOR APPROVAL OF DRAFT OF JUDGE' S ORDER:

61. TP/3664/2021

P. C. : Shri. Vijay Sharma Advocate for the Petitioner

1. The Ld. Advocate for the petitioner submitted a draft of the Judge's order for issuance of direction to the society to transfer the property, which is standing in the name of the deceased, to some other persons, whose names are mentioned in the affidavit.

2. The petitioner is daughter of the deceased and in petition other daughters were shown as legal heirs of the deceased. In a petition, widows of pre-deceased two sons were not included in the petition, as they could not be legal heirs of the deceased (mother-in-Law) in view of Sec. 15(1)(a) of the Hindu Succession Act, 1956.

3. This Letter of Administration is granted to petitioner to administer the property. However, petitioner is willing to transfer the property in the name of widows of the two brothers with consent of the other legal heirs of the deceased. Said transaction comes under the category of gift or alienation without any consideration. However, there is no written deed in this regard as per the provision of the Transfer of Property Act, 1882. Hence, petitioner to satisfy that without written deed, as per the Law, the property can be transferred in the name of Widows. Hence, adjourned.

3. S. O. to 22.06.2023

07.06.2023

Officer on Special Duty,
with Testamentary Department