

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5455 OF 2024

Seema Abaji Gaikwad .. Petitioner
Versus
Priya Shankar Ahiwale .. Respondent

-
• Mr. Abhijit B. Kadam, Advocate for Petitioner.
.....

CORAM : MILIND N. JADHAV, J.

DATE : JULY 18, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Kadam, learned Advocate for Petitioner.
- 3.** Perused the praecipe dated 18.07.2024 and the Writ Petition.
- 4.** The impugned order dated 20.07.2023 passed below Exhibit-34 in Application No.116 of 2020 for Succession Certificate is objected to by the Petitioner who is widow of the deceased. By virtue of the impugned order dated 20.07.2023, the learned Trial Court has allowed appointment of Court Commissioner to carry out inspection of the three lockers and prepare inventory of its contents. Application is made by Plaintiff for inventory and valuation of contents of the three lockers since Plaintiff has filed Miscellaneous Application seeking succession certificate being one of the legal heir of the deceased.

Plaintiff is married daughter of the deceased. Deceased is survived by wife who is the Writ Petitioner before me, two more daughters and one son who are taking education at present. With the able assistance of Mr. Kadam, I have perused the pleadings and the impugned order dated 20.07.2023.

5. An arguable case has been made out by Mr. Kadam for issuance of notice to Respondents.

6. Hence, issue notice to the Respondent. Humdast permitted. In addition to Court's notice, Petitioner is directed to serve the Respondent a copy of this order and copy of the Writ Petition and inform them about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof. Respondents are directed to file Affidavit-in-Reply to the Writ Petition on or before the next date.

7. Stand over to **01st August, 2024.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date: 2024.07.18
18:28:58 +0530