

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

TESTAMENTARY PETITION NO. 125 OF 2024

SANTOSH
SUBHASH
KULKARNI
Digitally signed by
SANTOSH SUBHASH
KULKARNI
Date: 2024.06.13
17:43:33 +0530

DUNDIGALLA NAVEEN KUMAR, SON
OF DUNDIGALLA RAMA RAO

...PETITIONER

DUNDIGALLA PADMAVATHY ALIAS
PADMAVATHI DUNDIGALLA, WIFE
OF DUNDIGALLA RAMA RAO

...DECEASED

Mr. Ajit Hodage, for the Petitioner.

CORAM: N. J. JAMADAR, J.
DATED: 12th JUNE, 2024

PC:-

1. Heard the learned Counsel for the petitioner.
2. The praecipe is preferred seeking a direction to accept the Administration Bond as surety mentioned therein is not a resident of Mumbai.
3. The learned Counsel for the petitioner submits that the petitioner is a resident of Hyderabad. It is, therefore, not possible for the petitioner to arrange surety from Mumbai. The petitioner has arranged a surety from Hyderabad. Attention of the Court is invited to the orders passed by this Court, especially the order dated 1st December, 2021 in TP/166/2020, whereby this Court had permitted the

petitioner therein to furnish surety, who was not a resident of Mumbai. It is noted therein that there is no mention in the Rules that the surety mentioned in the Administration Bond should be from the State of Maharashtra and/or from Mumbai.

4. In view of the aforesaid facts and the orders passed by this Court, the objection raised by the Registry that the surety is not from Mumbai stands dispensed with.

5. The petition be processed by permitting the petitioner to furnish a surety who is not a resident of Mumbai.

6. Praecipe disposed.

[N. J. JAMADAR, J.]