

**Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 03rd February, 2024**

FOR ISSUANCE OF CITATION :

39.TP/136/2024
(ECHCBM02154012023)

P. C. : Shri. S. U. Lakdawala a/w Ms. Jyoti Badgujar
a/w Shri. Jayant Wani i/b P VAS AND CO Ld.
Advocate for the Petitioner

1. Perused Petition. Issue Citation within two weeks from today. Issue Notice to the Collector. Issue citation to the non-consenting legal heirs of the deceased, if any. Advocate is directed to take steps and ensure that requisition under chapter XXVI of the Bombay High Court (O.S.) Rules, 1980 (for short "BHC Rules") are complied with. Petitioner to explain about inheritance by Sister of the deceased. Ld. Advocate for the petitioner relied upon Section 33 and 35 of the Indian Succession Act, 1925.

2. Advocate to take steps regarding Service of General Citation and also effect service upon non- consenting legal heirs, if any as per Rules 399 and 400 of the BHC Rules and also justify the surety of non-consenting legal heirs, if any, and furnish Administration Bond within one week thereafter, if there are other legal heir including the petitioner.

3. Office to verify if any cross petition is filed, if cross petition file, then take steps to place before the Hon'ble Court under Rule 407 of BHC Rules.

4. S. O. to 15.03.2024.

03.02.2024

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