

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

FOR ISSUANCE OF CITATION :

48.TP/147/2024 P. C. : Shri. Prabhu Velar Ld. Advocate for the Petitioner
(ECHCBM02198742
023)

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. Ld. Advocate for the petitioner submitted that properties mentioned at serial no. 5, 7 and 8 of the schedule-I of the petition are Fds and saving accounts lying with Union Bank of India, Nariman Point Branch, formerly known as Corporation Bank. However, said bank is not providing details of the amount lying in the account standing in the name of the deceased, namely Iqbal Ismail Patel alias Iqbal I. Patel. Hence, issue letter to the bank to give details of the amount lying with them. Alternatively Ld. Advocate may produce copy of this order with bank if required. Furthermore, petitioner to take steps regarding the locker.

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 18.03.2024.

03.02.2024

**Officer on Special Duty,
with Testamentary Department**