Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 15th July, 2024

FOR COMPLIANCE:

4. TP/2173/2024 [Original] (ECHCBM021348 22023)

P. C. : Shri. Govind Solanke Ld. Advocate for the Petitioner

1. Ld. Advocate for the Petitioner moved a praecipe dated 15.07.2024 thereby seeks permission to aver about the mother and wife of the deceased. Submission is accepted. Praecipe is allowed. Upon filing of the additional affidavit of the petitioner, re-verification is dispensed with. Petitioner to carryout an amendment within two weeks from the date of uploading of this order, if petition is pending.

2. After carrying out the amendment, issue Citation. Issue Notice to the Collector as per **Rule 396** of the Bombay High Court (O. S.) Rules, 1980. 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.

3. Advocate to take steps regarding Service of General Citation as per **Rule 397** of the BHC Rules 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, **for Gross amount**, vide **Rule 420** of BHC Rules, within one week thereafter, if there are other legal heir including the petitioner.

4. 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.

5. S. O. 29.08.2024

15.07.2024

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