

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 22nd November, 2024

FOR COMPLIANCE :

106. TP/2379/2024
[Original]
(ECHCBM02196802023)

P. C. : Shri. Shirish Mathkar a/w Shri. Nilesh Modi i/b
Rustomji Ginwala Ld. Advocate for the Petitioner

1. Perused petition. The Original Will and second
codicil are called for perusal from the custody.

2. Ld. Advocate for the petitioner submits that
only property left to be administered. However,
when this authority has made query about the
bequest given to persons as per the Codicil of the
Will, he submits that it might be given by the
Executors. However, there is no such document or
record. Hence, the petitioner to satisfy that the
bequest is given to these legatees and therefore
citation and other procedure vide Sec. 239 of the
Indian Succession Act, 1925 need not be followed.

3. Ld. Advocate for the petitioner submits that in
view of order passed by the Hon'ble Court in TP No.
2918/2023, all petitioners are legal heirs and there
are no other legal heirs whose interest is to be
protected and therefore, the petitioners are
exempted from the furnishing Administration Bond.
However, in view of bequest given to the legatees,
their interest is to be protected if they are unpaid.
Hence, petitioners to take steps according to Law.
Hence, adjourned for further order.

2. S. O. to 03.12.2024

22.11.2024

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