

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

**JUDGES ORDER (TESTAMENTARY) NO. 121 OF 2024
IN
TESTAMENTARY PETITION NO. 3061 OF 2022**

Moreshwar Sitaram Patade ...Petitioner
Versus
Sitaram Sadashiv Patade ...Deceased

Mr. Moreshwar Patade i/by Mr. Ragunath S. Gawde for Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 21st AUGUST 2024

PC.:

1. Heard the learned Counsel for the Petitioner.
2. This Judge's Order is taken out for grant of permission of the Court to sell the properties i.e. Flat No.2, Building No.8-A, Ground Floor, Ashtavinayak Building, Mahakali Caves Road, PMGP colony, Andheri (E), Mumbai, more particularly the property is described in the Schedule of Assets. The Testamentary Petition No.3061 of 2022 is filed for Letters of Administration and properties and credits of Sitaram Sadashiv Patade, the father of the petitioner. By an order dated 30th May 2023, the Letters of Administrations were granted to the

Petitioner.

3. In the affidavit in support of the petition it is averred that post grant, Maharashtra Housing and Area Development Authority (MHADA) has transferred the subject premises in the name of the petitioner. The petitioner has decided to sell the subject premises in favour of to Samir C. Surve for a consideration of Rs.38 lakhs. A copy of the agreement for sale is annexed at Exhibit-C. The other surviving heirs of the deceased namely, Mrs.Manisha Y. Dayalkar, the married daughter, Manoj S. Patade, the son, and Mrs.Dipali D. Kotwalkar, another married daughter, have filed affidavits giving their consent for the sale of subject premises. It appears that the subject premises is agreed to be sold for an optimum consideration. In view of the consent of the other heirs of the deceased, I do not find any impediment in granting the permission to sell the subject premises.

4. Judge's Order is accepted and signed separately.

(N. J. JAMADAR, J.)