

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

JUDGE'S ORDER NO. 122 OF 2024
IN
TESTAMENTARY PETITION NO. 236 OF 2013

Anil Vithoba Medhekar ...Petitioner
vs.
Subhadra Vithoba Medhekar ...Deceased

Mr. Yatin Malvankar with Mr. Dinesh Wani i/by Tripathi Associates for
Petitioner.

CORAM : N. J. JAMADAR, J.
DATE : 9th OCTOBER 2024

PC.:

1. Heard the learned Counsel for the Petitioner.
2. Perused the affidavit filed in support of the Judge's Order.
3. Affidavit dated 2nd October 2024, the petitioner has explained the circumstances in which the petitioner was constrained to execute the instrument dated 2nd March 2023 in favour of Mrs.Kanta Rajaram Jadhav and Mr. Rakesh Rajaram Jadhav. It is, *inter alia*, asserted that as the petitioner had suffered a brain stroke and was in emergent need of money to repay the debt incurred for the treatment, instrument was executed. Part consideration i.e. Rs.15 lakhs is yet to be received.
4. In view of the affidavits in support of the Judge's Order, including last affidavit dated 2nd October 2024, I am inclined to grant *ex-post*

facto permission for sale of the subject property.

5. Judge's Order is accordingly accepted and signed separately.

(N. J. JAMADAR, J.)