

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

**JUDGES ORDER NO. 123 OF 2024
IN
TESTAMENTARY PETITION NON. 3756 OF 2022**

Trupti Purav Dave ...Petitioner
Versus
Purav Vardhishankar Dave ...Deceased
AND

**JUDGES ORDER NO. 124 OF 2024
IN
TESTAMENTARY PETITION NON. 3756 OF 2022**

Trupti Purav Dave ...Petitioner
Versus
Purav Vardhishankar Dave ...Deceased

Ms. Pranjali Bhandari Advocate for Petitioner.

**CORAM : N. J. JAMADAR, J.
DATE : 16th AUGUST 2024**

PC.:

1. Heard the learned Counsel for the Petitioner.
2. The Judge's Orders are taken out seeking permission of the Court to sell two of the properties of Purav Vardhishankar Dave @ Purav V. Dave @ P. V. Dave (the deceased).
3. The Letters of Administration to the properties and credits of the Purav V. Dave (the deceased), were granted by an order

dated 5th July 2023. The deceased has left behind Mrs.Pushpa V Dave, the mother, Ms.Trupti Purav Dave, the wife/petitioner, and two daughters namely, Ms.Eshita Purav Dave and Vrutee Purav Dave. Ms.Pushpa V. Dave, the mother of the deceased, has relinquished her share in the properties of the deceased by executing the release deeds dated 5th September 2023.

4. The petitioner and her daughters have decided to sell two of the properties i.e. Plot Nos. 42 and 44 with Bungalow F-42 standing thereon at Gold Valley CHS Ltd., Survey No.35, Village-Tungarli, Taluka- Maval, Lonavala and Flat No.10, 1st Floor, Bharat Mahal Premises CHS Ltd., Lajpatrai Road, Vile Parle West, Mumbai, which are described at Serial Nos.11 and 2, respectively, of the schedule of properties appended to the grant.

5. Eshita Dave, the daughter of the deceased has since attained majority. Ms. Vrutee Dave, another daughter, is still minor. The petitioner has filed an affidavit undertaking to deposit the share of the minor daughter in the Court till further orders.

6. I have perused the draft agreement for sale, the affidavits filed by Mrs.Pushpa Dave and Ms.Eshita Dave giving consent for

sale of the properties. The petitioner has also filed an affidavit on behalf of the Ms.Vrutee Dave, in the capacity of natural guardian of Ms.Vrutee Dave. The consideration for which the properties are proposed to be sold also appears to be optimum.

7. Since the petitioner has undertaken to deposit the share of Ms.Vrutee Dave, her minor daughter, in the Court, I do not find any impediment in allowing the petitioner to sell aforesaid properties subject to the condition of depositing the share of Ms.Vrutee Dave, the minor daughter, in the Court.

8. Permission for sale is, thus, granted.

9. Judge's Orders are accepted and signed separately.

(N. J. JAMADAR, J.)