



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
JUDGE'S ORDER NO.128 of 2024
IN
TESTAMENTARY PETITION NO.2998 OF 2018**

Nasir Tyabji ... Petitioner

Salima Tyabji ... Deceased

Mr. Uttam Rane with Mr. Miraj Bharapurja, for Petitioner.

CORAM: N.J.JAMADAR, J.

DATE : 19 AUGUST 2024

PC.

1. Heard the learned Counsel for the Petitioner.
2. This Judge's Order is taken out seeking permission to sell the property bearing Flat No.I-21, 2nd Floor, Jungpura Extension, New Delhi, more particularly described at Sr. No.8 of the Schedule of Assets, appended to the grant of the Letters of Administration.
3. The Petitioner has filed Testamentary Petition No.2998 of 2018 for grant of Letters of Administration to the property and credits of Salima Tyabji. By an order dated 31 August 2019, the Letters of Administration were granted to the Petitioner. The Petitioner claims to be the sole surviving legal heir of the deceased, who was a divorcee. She died issueless. Hasan, another brother of the deceased, predeceased her in September 2004.

4. I have perused the averments in the Petition in support of the Judge's Order. It appears that the Petitioner is the sole surviving legal heir of the deceased.
5. For the reasons assigned in the affidavit in support of the Judge's Order, I am inclined to permit the Petitioner to sell the above described property for a consideration of Rs.1,66,00,000/-, which appears to be optimum.
6. The Judge's Order is accepted and signed separately.

(N.J.JAMADAR, J.)