

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 04th July, 2024

FOR COMPLIANCE:

35. TP/1097/2024
[Original]
(ECHCBM02030172024)

P. C. : Shri. A S Pagedar Ld. Advocate for the Petitioner

1. The petition is taken up for the order. The petitioner states that the deceased died spinster and her parents were pre-deceased to her. He further state that the pre-deceased sister's lineal descendants are excluded from inheritance of the estate of the deceased, either male or female. He further states that pre-deceased brother's son(s) is(are) entitled to inheritance of the estate of the deceased. Ld. Advocate for the petitioner is relied upon the provisions in the book, namely Compendium of Fatimid Law (Section 423- page No. 104, Section 417- page no. 102, Note to Section 421- page no. 104).

2. Read praecipe dated 04.07.2024, petitioner is permitted to make an averment about the grand parents of the deceased as well as legal heirs of the pre-deceased brother and sister who are exempted from the inheritance of estate of the deceased as per the provisions of personal laws applicable to the parties. Upon filing of the additional affidavit of the petitioner confirming the amendment, re-verification is dispensed with. Ld. Advocate for the petitioner to initial the amendment.

3. Petitioner to carryout an amendment within two weeks from the date of uploading of this order, if petition is pending. Hence, adjourned.

4. S. O. to 12.07.2024

04.07.2024

Officer on Special Duty,
with Testamentary Department