

Before : Shri. P. A. Jagdale,  
Officer on Special Duty,  
With Testamentary Department  
Date :- 18<sup>th</sup> April, 2024

**FOR ISSUANCE OF CITATION :**

5. TP/1314/2024 P. C. : Shri. Omkar Kulkarni Ld. Advocate for the Petitioner  
[Original]  
(ECHCBM022350  
92023)

1. Perused Petition. Issue Citation within two weeks from today. Issue Notice to the Collector as per **Rule 396** of the Bombay High Court (O. S.) Rules, 1980. Issue citation to the non-consenting legal heirs of the deceased, if any. Advocate is directed to take steps and ensure that requisition under chapter XXVI of the Bombay High Court (O.S.) Rules, 1980 (for short "BHC Rules") are complied with. Petitioner to state about the mother of the husband of the deceased.

2. Advocate to take steps regarding Service of General Citation as per **Rule 397** of the BHC Rules and also effect service upon non- consenting legal heirs, if any, as per Rules **399 and 400** of the BHC Rules and also justify the surety of non-consenting legal heirs, if any, and furnish Administration Bond, for **Gross amount**, vide **Rule 420** of BHC Rules, within one week thereafter, if there are other legal heir including the petitioner.

3. Office to verify if any cross petition is filed, if cross petition file, then take steps to place before the Hon'ble Court under **Rule 407** of BHC Rules.

4. S. O. 21.06.2024

18.04.2024

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5. Later on in Second session, Ld. Advocate for the petitioner moved a praecipe to aver the fact about the mother of the husband of the deceased. Praecipe is allowed. Petitioner to carryout an amendment as well as consequential amendments within three weeks from the date of uploading of this order, if petition is pending. Hence, adjourned to already scheduled date.

18.04.2024

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