

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 24th April, 2024

FOR ISSUANCE OF CITATION :

27. TP/1743/2024 P. C. : Shri. Kunal Patel i/b R. V. Laxmi Sankapal Ld. Advocate for
[Original] the Petitioner
(ECHCBM02047052
024)

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.
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. 08.07.2024

24.04.2024

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5. Read praecipe dated 24.04.2024 along with schedule of the amendment in schedule-I fo the petition. Ld. Advocate for the petitioner submitted that some fixed deposits have been matured subsequent to the filing of the petition. Therefore, details thereof are required to be mentioned in the petition. Praecipe is allowed. Furthermore, petitioner is also permitted to amend the para no. 4 so as to mention about the grand parents of the deceased.

6. Petitioner to carryout an amendment within three weeks from the date of uploading of this order, if petition is pending. After complying with the above directions, citation be issued.

24.04.2024

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