

**BEFORE : MRS. R. V. RANE ,
COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR
Date: 19th December, 2024**

CALLED FOR COMPLIANCE :

198 TP/1837/2024
ECHCBM02236642023
with
WILL/674/2024

Mr. Dharmendra Damani, Advocate for petitioner

PC : 1. Heard Ld. Advocate for petitioner. Upon perusal of the petition as well as Will annexed thereto, it has been observed that General Citation was issued on 13.11.2024 and legal heirs are served through the office of Sheriff, Mumbai. The said Affidavit of Service shown on the CIS system and the same was not filed in the Registry by the office of Sheriff, Mumbai.

2. Upon perusal of the Will, it is further noted that in para No. 6 of the Will, deceased has mentioned as under :

“since last more than 25 to 30 years, as my mother was already settled in England, both my sisters were / are married and residing separately, I am looking after all the affairs of temple / said property as Owner”.

The said clarification shows that the deceased is having one more sister other than the sister which is mentioned in the petition.

3. Petitioner in-person who is present before me submits that he is not aware of whereabouts of other sister of deceased and also not aware name of the said sister. As per the provisions of Hindu Succession Act, 1956 when Class I legal heirs are not there, then class II legal heirs to be served. Ld. Advocate for petitioner seeks time to carry out amendment in the petition. Amendment allowed. Ld. Advocate for petitioner to carry out amendment on or before next adjourned date.

4. Ld. Advocate for petitioner take steps to serve the unserved legal heirs of deceased.

5. List the matter on 30.01.2025.

19.12.2024

**COMPANY REGISTRAR /
TESTAMENTARY REGISTRAR**

