

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 09th August, 2024

FOR COMPLIANCE:

91. TP/2865/2024 P C. : LAKDAWALA AND CO, Ld. Advocate for the Petitioner
[Original]
(ECHCBM020966
72024)

1. Rule 379 of the Bombay High Court (O. S.) Rules, 1980 is reproduced as under:

379. Verification of petition. – The petition for probate or letters of administration or succession certificate shall be subscribed by the Petitioner and his Advocate on record (if any), and shall be verified by the petitioner in the manner prescribed for verification of plaints.

2. Ld. Advocate for the petitioner is relied upon the provisions of Order VI Rule 14 of the Code of Civil Procedure, same is reproduced as under;

14. Pleading to be signed.—Every pleading shall be signed by the party and his pleader (if any): Provided that where a party pleading is, by reason of absence or for other good cause, unable to sign the pleading, it may be signed by any person duly authorized by him to sign the same or to sue or defend on his behalf.

3. Upon perusal of the petition and photocopy of the Power of Attorney, it appears that petitioner is resident of Mumbai. Hence, petitioner is required to follow the provisions of Rule 394 of the Bombay High Court (O. S.) Rules, 1980 (for short “BHC Rules). Befor carrying out the amendment, Petitioner to ensure that provisions of Rule 394 of the Bombay High Court (O. S.) Rules, 1980 (for short “BHC Rules) are complied with and thereafter, petitioner to verify the amendment.

4. List of scheduled date of the petition.

09.08.2024

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