

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 26th August, 2024

FOR COMPLIANCE:

51. TP/2968/2024
[Original]
(ECHCBM02037632024)

P. C. : Shri. Rohan Sawant i/b AKHLAQUE Ld. Advocate for the Petitioner

1. Ld. Advocate for the Petitioner relied upon the textbook Mullas 21st Edition revised by Prof. Iqbal Ali Khan and printed by Nexis Lexis in the year 2017. Ld. Advocate for the Petitioner pointed out the Section 50 on page no. 49 of the said Book and submitted that Indian Succession Act, 1925, The administrator-General Act, 1913 and Bombay Regulation Act, will apply in respect of the inheritance of the property except this no other provision will apply.

2. Ld. Advocate for the petitioner further submitted that the Schedule given under as per Section 28 of the Indian Succession Act, will apply to the Muslim persons. However, said provisions are applicable to the Christian Person. Hence, Ld. Advocate for the petitioner to take steps according to Law.

3. Kept back for some time.

26.08.2024

**Officer on Special Duty,
with Testamentary Department**

4. Ld. Advocate for the is relied upon the provisions in respect of the personal laws applicable to Shia Muslim. However, upon query, Ld. Advocate for the petitioner submitted that the deceased was belonging to Sunni Sect. Hence, provisions relating to the inheritance of Sunni persons are pointed out to Ld. Advocate and on basis of this provision, he may point out that the petitioner can present the petition being entitled to claim an inheritance. Ld. Advocate for the petitioner seeks time to go through it. Hence, adjourned.

5. S.O. to 12.09.2024

26.08.2024

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