

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 02nd July, 2024

FOR ISSUANCE OF CITATION :

35. TP/2992/2024 P. C. : Shri. Prathamesh Shinde Ld. Advocate for the Petitioner
[Original]
(ECHCBM02076092
023)

1. Perused Petition. Issue Citation after carrying out amendment. 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 take steps about the grand father 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. 22.08.2024

02.07.2024

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5. Later on, Ld. Advocate for the petitioner moved a praecipe to amend the para no. 4 of the petition by making an averment regarding grand parents of the deceased. Submission is accepted. Praecipe is allowed.
6. Petitioner to carryout an amendment within two weeks from the date of uploading of this order, if petition is pending. Furthermore, after carrying out the amendment. Office to proceed for issuance of citation.

02.07.2024

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