

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 12th November, 2024

FOR COMPLIANCE:

53. TP/3085/2024
[Original]
(ECHCBM02066452024)

P. C. : Ms. Sharda Pandey Ld. Advocate for the Petitioner
Shri. Pierre Hilarion Lacquiere- Petitioner no. 1

1. Read praecipe dated 21.10.2024. Heard Ld. Advocate for the petitioner, she submits that in a petition inadvertently share of the legal heirs are wrongly calculated and mentioned, as per provisions of the Section 47 instead of Section 48 of the Indian Succession Act, 1925. She has relied upon the illustration no. (iv) of the Section 48 of the Indian Succession Act, 1925 and thereby submits that at the time of the death of the deceased has not left neither lineal descendant, nor parents, nor brother or sisters were alive. Therefore, provision of Section 48 will apply and all children of brother-sister of the deceased, would get equal share.

2. Submission is accepted. Praecipe is allowed. The petitioner to carry out the proposed amendment, as prayed for, within the period of the three weeks from the date of the uploading this order, if the petition is pending. Furthermore, the petitioner shall inform the legal heirs, who have given their consent to the petition, but their names are proposed to be deleted about this amendment.

3. S. O. to 09.12.2024

12.11.2024

Officer on Special Duty,
with Testamentary Department