

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 17th August, 2024

FOR ISSUANCE OF CITATION :

23. TP/3763/2024
[Original]
(ECHCBM02120402024)

P. C. : Ms. Kajal Sakpal i/b Vijaykumar Dighe Ld. Advocate
for the Petitioner

1. Peruse the petition. The petitioner No. 1 is the mother of the petitioner No. 2 and 3. Hence, she has filed the petition on their behalf. However, in view of Sec, 246 of the Indian Succession Act, 1925 (for short "IS Act"), requirement of the section is not fulfilled, as the petitioner No. 1 is also legal heir of the deceased and entitled to present a petition for grant of letters of Administration vide Sec. 218 of IS Act. Hence, petitioner to satisfy that the petition on behalf of the petitioner No. 2 and 3 is tenable vide Sec. 246 of IS Act.

2. Ld. Advocate for the petitioner, submitted a Praecipe, dated 01/08/2024, to delete the petitioners No. 2 and 3. However, it amounts to withdrawal of the petition, on behalf of these petitioners. Hence, the petitioner No. 1 to take appropriate steps in this regard.

3. S. O. to 29.08.2024

17.08.2024

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