

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 22nd August, 2024

FOR ISSUANCE OF CITATION :

23. TP/4083/2024 P. C. : None for the Petitioner
[Original]
(ECHCBM0221201
2023)

1. Perused Petition. Issue Citation within two weeks. 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 to state about the parents and grand parents 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. 21.10.2024

22.08.2024

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5. Later on, Shri. V. P. Shastri Id. Advocate for the Petitioner moved a praecipe dated 22.08.2024 and thereby seeks permission to make an averment in para no. 4 regarding grandparents of the deceased as per the personal laws applicable to the deceased. Submission is accepted. Praecipe is allowed. Petitioner to carry out an amendment within two weeks from the date of uploading of this order, if petition is pending. Petition can be re-verified by either of the petitioner. After carrying out the amendment, office to issue citation.

22.08.2024

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