

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 05th October 2024

FOR ISSUANCE OF CITATION :

47. TP/4663/2024 P
(AMH20230041340 C. :
C202400004)

Shri. Sameer Logade Ld. Advocate for the Petitioner

1. Perused Petition. Ld. Advocate for the petitioner moved a praecipe dated 05.10.2024 and thereby prays to amend the para no. 4 (2) of the petition as per the praecipe. Praecipe is allowed. Petitioner to carryout an amendment within two weeks from the date of uploading of this order, if petition is pending. Upon filing of the additional affidavit of the petitioner, confirming the amendment, re-verification is dispensed with.

2. After carrying out the amendment, office to Issue Citation within two weeks from the date of carrying out the amendment. Issue Notice to the Collector **vide Rules 396** of the Bombay High Court (O.S.) Rules, 1980 (for short "BHC Rules"). Issue citation to the non-consenting legal heirs of the deceased, if any. The advocate is directed to take steps. Ld. Advocate for the petitioner to ensure that requisitions under Chapter XXVI of the BHC Rules are complied with.

3. Advocate to file an affidavit of Service of General Citation and also effect service upon non-consenting legal heirs, if any as per Rules 399 and 400 of BHC Rules and also justify the surety of non-consenting legal heirs, if any, and furnish Administration Bond **for the gross amount** as per Rule 420 of the BHC Rules, within one week after that.

4. Office to verify if any cross-petition is filed, if cross-petition is filed, then take steps to place before the Hon'ble Court under Rule 407 of the Bombay High Court O. S. Rules.

5. S. O. to 25.11.2024

05th October 2024

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