

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 24th October, 2024

FOR COMPLIANCE:

88. TP/4770/2024
(AMH20240009929C202
400004)

P. C. : Shri. Ajay S Pagedar Ld. Advocate for the Petitioner

1. Ld. Advocate for the Petitioner moved a praecipe dated 24.10.2024 and thereby seeks permission to strike out names of Vedhai Desai and Guarav Desai and to correct the statement about the share in para no. 6 of the petition. Perused provisions of Section 9 r/w Schedule of the Hindu Succession Act, 1956, particularly Class-II entry (II) and Class-II Entry (IV). The petitioner being brother of the deceased, comes at Class-II, entry-(II), whereas as these two persons, being children of predeceased brother of the deceased, come at Class-II, entry (IV). Hence, in view of Section 9 of the Hindu Succession Act, 1956. Submission is accepted that they can not claim inheritance of the deceased. Hence, praecipe is allowed.

2. Petitioner to carryout an amendment as prayed in the praecipe as well as consequential amendments in the petition, within two weeks from the date of uploading of this order, if petition is pending.

3. S. O. to 27.11.2024

24.10.2024

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