

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 18th November, 2024

FOR ISSUANCE OF CITATION :

20. TP/5164/2024 P.C. None for the Petitioner
(AMH2024013070
8C202400015)

1. Shri. Bhalchandra G. Sawant, Registered Clerk of M/s Hariani & Co. appeared in this matter and he tendered the memo of appearance and he continuously is insisted to mark the presence of the Ld. Advocate Ms. Haleema Merchant i/b Jani & Parik, even though he is not registered clerk of Jani & Parik, he insisted to mark his presence in absence of the Ld. Advocate for the Petitioner. Hence, photo copy of the identity Card along with the written memo of appearance is kept along with the minutes of the Order.

2. Perused Petition. Issue Citation within two weeks from today. 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. Advocate is directed to take steps in this regard. Ld. Advocate for the petitioner to ensure that requisitions under Chapter XXVI of the BHC Rules are complied with.

3. Advocate to take steps in respect of service of General Citation and also to affect the service upon non-consenting legal heirs, if any, as per Rules 399 and 400 of BHC Rules. In case non-consenting legal heirs, the petitioner shall justify the share of such heir/s. The petitioner shall furnish Administration Bond **for the gross amount** as per Rule 420 of the BHC Rules, within one week after that, if there are another legal heir/s other than the petitioner/s.

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 BHC Rules.

5. S. O. to 07.01.2025.

6. Order to be forwarded to Hon'ble Prothonotary and Senior Master, High Court, Bombay for information and for necessary directions on administration side.

18.11.2024

Officer on Special Duty,
with Testamentary Department