

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 03rd December, 2024

FOR ISSUANCE OF CITATION :

1. TP/5322/2024 P. C. : Shri. K. Bhatia Ld. Advocate for the Petitioner
(AMH20230043083
C202400005)

1. 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. Petitioner to take steps to state about the parents of the since deceased husband.

2. 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.

3. 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.

4. S. O. to 20.01.2025

03.12.2024

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5. Later on, Ld. Advocate for the petitioner moved a praecipe dated 03.12.2024 and thereby seeks permission to amend the petition by making an averment about the parents of the since deceased husband of the deceased. Submission is accepted. Praecipe is allowed. Re-verification is dispensed with. Ld. Advocate for the petitioner to initial the amendment.

6. Petitioner to carry out an amendment within two weeks from the date of uploading of this order, if petition is pending.

03.12.2024

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