

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 06th December, 2024

FOR ISSUANCE OF CITATION :

19. TP/5447/2024
(AMH20230019430C202
400007)

P. C. : None for the Petitioner

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. The petitioner to ensure that all legal heirs of the deceased are mentioned in the petition. Furthermore, the petitioner to make necessary averment in this regard in the petition, as per the Law, if required.

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 30.01.2025

06.12.2024

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