

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 20th December, 2024

FOR COMPLIANCE :

59. TP/5509/2024
(AMH20240129625C202
400001)

P. C. : Shri. Rihal Kazi a/w Shri. Guru Shanmugam a/w
Ms. Zainab Tinwala a/w Shri. Aditya Karnik i/b M &
M Legal Ventures Ld. Advocate for the Petitioner

1. Ld. Advocate for the Petitioner prepared the family tree and same is tendered accordingly.
2. Ld. Advocate for the petitioner submitted that at this juncture, it is indeed not to look into the legal heirs as it will be the duty of the administrator to administer the property as per the law. He further submits that in present case of legal heirs are mentioned in the table given, in para no. 4 are consented.
3. I have gone through the same. Deceased died bachelor leaving behind one surviving brother and three surviving sisters. Deceased had two pre-deceased brothers, namely Nassiruddin and Karim, who pre-deceased the deceased on 21.12.2023 and 27.02.2014, respectively, leaving behind their descendants as shown in the family tree their names are shown in serial no. 1, 2, 4, 5 and 6 of the para-No. 4 of the petition.
4. As per the earlier directions this family tree is given. Direction was given only to ascertain the legal heirs whose consents are required as per the provisions of the Rule 397 of the Bombay High Court (O. S.) Rules, 1980. Under these circumstances petitioner to ensure that descendants of the pre-deceased brother of the deceased can claim inheritance in respect of the property of the deceased, as per provisions of the personal laws applicable to the deceased, so that petition will be taken up further. Hence, adjourned.
5. S. O. to 14.01.2025

20.12.2024

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