

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION**

**INTERIM APPLICATION NO. 1735 OF 2024
IN
TESTAMENTARY PETITION NO. 3536 OF 2023**

**VISHAL
SUBHASH
PAREKAR**

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VISHAL SUBHASH
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Date: 2024.07.11
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Hitesh Bhavarlal Jain

...Petitioner

Versus

Bhavarlal Maganlal Jain

...Respondent

Mr.Hitesh Solanki a/w Miti Shah i/by Manoj and Ashok
Associates for Petitioner.

CORAM : N. J. JAMADAR, J.

DATE : 10th JULY 2024

PC.:

1. Heard the learned Counsel for the applicant.
2. This is an application for issue of Special Citation to the Executor.
3. In the application it is averred that, the petitioner has repeatedly called upon the executor to convey as to whether the executor is willing to accept the executorship. However, there is no response.
4. In view of the reasons assigned in the application and the fact that the executor has not responded to the calls of the

petitioner, the application stands allowed in terms of prayer clause (a).

5. Special Citation be issued to the executor under Section 229 of the Indian Succession Act, 1925, returnable on **28th August 2024.**

(N. J. JAMADAR, J.)