

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 02nd May, 2025

NOT ON BOARD, TAKEN ON BOARD :

157.TP/89/2024 P.C.: Shri. Rahul Sagar i/b Vaishali Gangawane Ld. Advocate for the
Petitioner

1. Ld. Advocate for the Petitioner moved a praecipe dated 02.05.2025 and thereby submitted that, final order has been passed and department has raised an objection that, amended petition is properly not uploaded. Hence, he seeks permission to upload the petition again properly. He submitted that Shobha is the legal heir, who consented to the petition, by filing her affidavit. However, while uploading her consent affidavit, Ld. advocate annexed the new page to the petition, in which Shobha is also shown as a one of the petitioner. This new page came to be uploaded in the amended petition. Hence, he submitted that the amended petition is not proper.
2. Perused original petition. In this petition, two petitioners, namely SACHIN VASANT WAGHMARE and SUREKHA PRADEEP GHODKE NEE SUREKHA VASANT WAGHMARE. This first page bears the Notary seal. However, in amended petition, this page is missing. It appears that the Ld. advocate for the petitioner affixed the new page. However, upon perusal of CIS, it appears that there is no order to join new petitioner, namely Shobha. Vide an order dated 12.08.2024, the petitioners were allowed to add legal heirs of Vasant in paragraph No.4 of the petition, being one of the legal heir of the deceased. Hence, amended petition is not proper, as per the amendment order dated 12.08.2024.
3. Hence, submission is accepted.
4. Petitioner to present the petition before the office to verify that amendment is properly carried out as per the Order, dated 12.08.2024. The petitioner to upload the proper amended petition with earlier title within two weeks from the date of uploading this order, if petition is pending. Petition available in the drive dated 26.11.2024 is appeared to be proper. Hence, the department may consider this petition, as well. Ld. advocate for the petitioner to do the needful, to remove these objections.
5. Furthermore, the petitioner to file the **proper Consent**

affidavit of the Shobha Waghmare or take steps to serve the citation upon the said Shobha.

6. If consent affidavit of Shobha is not filed, then petition be listed on the board for further direction, according to law, in second week of June 2025.

02.05.2025

**Officer on Special Duty,
with Testamentary Department**