

Date : 26th February, 2025

CALLED FOR DIRECTION:

73.TP/7/2025
[Original]
(AMH20240126951
C202400009)

) **Mr. Atish S. Mahade Advocate, for the Petitioner.**

PC.: 1. The Ld. Advocate for the Petitioner to amend the information about the legal heirs as per, section 9 under Hindu Succession Act, 1956. In paragraph No. 4 of the petition the petitioner has given the description of the legal heirs. However it appears that deceased Sanjay Rao Adsule, a Hindu, died as a bachelor and survived by the legal heirs may in para No. 4 of the petition.

2. However, as per section 9 of the Hindu Succession Act, 1956 (for short "HS Act"), the person who falls under the higher entry in class II legal heir will have the preferential right to claim an inheritance to the property left by such deceased. However, in the present petition, the petitioner is the sister of the deceased and another sister, namely Laxmibai, is died on 24th September 2020, that is prior to that the death of the present deceased. Hence under such circumstances descendant of such Laxmibai falls under Class2, Entry-4 legal heirs of the deceased. In view of above referred provisions, only the sister has right to claim an inheritance to the property left by the deceased.

3. Hence petitioners to amend the paragraph No. 4 and include only names of the legal heir as per the provisions of the. Petitioner may give additional information about the other persons who are not the legal has of the deceased but related to the deceased for sake of better explanation and proper information. The petitioner to take steps accordingly

2. Adjourned to 19.03.2025.

26.02.2025

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