

Before : Shri. P. A. Jagdale,  
Officer on Special Duty,  
With Testamentary Department  
Date :- 07<sup>th</sup> March, 2025

**FOR COMPLIANCE :**

25. TP/3062/2024  
[Original]  
(ECHCBM02135702023)

P. C. : Shri. Aryan Kotwal i/b A and D legal Ld. Advocate  
for the Petitioner

1. In a present petition, petition is filed by the petitioner Abhijit Arvind Gupte. However, administration bond is not executed by the petitioner himself but it is executed through his power of Attorney holder, namely Sandeep Arvind Tamhane.
2. Ld. Advocate for the petitioner submits that petitioner is a citizen of USA and therefore, he is not able to execute the bond. However, there is no restriction to execute the bond outside India by following due procedure. Hence, petitioner could have executed such administration bond in USA in prescribed format and its counterpart can be executed in India, as per the Rules.
3. Furthermore, where the petition is filed by the petitioner himself and grant is to be issued in the name of the petitioner, then he cannot delegate the duty of execution of the Administration Bond to his power of attorney Holder by executing the Power of attorney because in such regard there is a different provision of the Section 243 pf the Indian Succession Act, 1925 which allows such power of attorney to present the petition for grant of Limited LOA for the absent legal heirs for the use and benefit of such legal heirs.
4. At this juncture, Ld. Advocate for the Petitioner submitted that petitioner will visit India within next few weeks and he will execute the administration bond in India. Hence, adjourned.
5. S. O. to 10.03.2025, already scheduled date.

07.03.2025

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