

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

TESTAMENTARY PETITION NO. 3233 OF 2024

Satvasheela Prithviraj Chavan

...Petitioner

Leelaraje Ramchandrarao Ghorpade

...Deceased

WITH
WILL NO. 1316 OF 2024
IN
TESTAMENTARY PETITION NO. 3233 OF 2024

Adv. Melvyn Fernandes i/b Alex Almeida for the Petitioner.

CORAM : ARIF S. DOCTOR, J.

DATE : 01ST APRIL, 2025

P.C. :

1. The matter is on board in view of the following requisition raised by the Testamentary Registrar:

“ 1. Ld. Advocate for the petitioner submits that the petitioner has to take steps in respect of the Administration Bond. Hence, adjourned.”

2. Learned Counsel submits that the aforesaid requisition was raised by the Testamentary Registrar in view of the fact that the surety was residing outside Mumbai. However, in my view, given that this issue has been

considered and decided by another Learned Single Judge of this Court in the case of *Ashok Chanderbhan Choithani, Petitioner & Hansa Chanderbhan Choithani, Deceased*¹ in which it was held as follows:

“3. The Petitioner has filed Petition for Letters of Administration as the mother in whose favour the Probate of the Will had been granted in the USA had expired. The only asset of the deceased is a bank account in the City Bank, P.M. Road Branch, Mumbai.

4. Having considered the relevant Rules of the Bombay High Court (O.S.) Rules, in particular, Rule 420 for Administration Bond and Rule 422 which is for surety to be justified in certain cases, it is noted that there is no mention that the surety mentioned in the Administration Bond should be from the State of Maharashtra and/or from Mumbai.”

4. Having due regard to the above, the aforesaid requisition is accordingly dispensed with.

(ARIF S. DOCTOR, J.)

1 Order dated 1st December 2021 in Testamentary Petition No. 166 of 2020