

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 28th January, 2025

FOR HEARING :

72. TP/3346/2024
[Original]
(ECHCBM02105622024)
with
WILL/1352/2024

P. C. : Shri. M. L. Verma Ld. Advocate for the Petitioner

1. Ld. Advocate for the Petitioner submits that as per Section 15(1) (b) of the Hindu Succession Act, 1956, the surviving sister of the husband of the deceased namely Nanubai Kshirsagar, the only class-II entry-II legal heir, as per the Section 9 of the Hindu Succession Act, 1956, is alive. Whereas, Suresh, Baban and Sushila are the class-II entry-IV legal heirs. Hence, Nanubai will have the preferential right over these persons. Submission is accepted. Praecipe is allowed. Petitioner is also permitted to aver the fact about the mother and father of deceased, as per Rule 389 of the Bombay High Court (OS) Rules, 1980.

2. Petitioner to carry out an amendment within two weeks from the date of uploading of this order, if petition is pending. Amended petition to be uploaded in the portal within 05 days from the date of the amendment.

3. Furthermore, petitioner to comply earlier orders.

4. S. O. to 26.02.2025

28.01.2025

Officer on Special Duty,
with Testamentary Department