

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 20th January, 2025

FOR COMPLIANCE :

40. TP/3387/2024
[Original]
(ECHCBM02205732023)
with
IA(L)/33658/2024
(AMH20230023660C202
400013)'

P. C. : Ms. Sana Subedar i/b Jayesh Sapra Ld. Advocate for the Petitioner

1. Petition is filed by the Jignesh Vaghela being the Constituted Attorney of petitioner no. 1 and 2. Petitioner to ensure that title as well as prayer of the petition is proper as per the Section 243 of the Indian Succession Act, 1925. Subject to take steps to correct the title and prayer, following order is passed.

2. Perused Petition. After taking steps for aforesaid amendment, Issue Citation within two weeks from today. Issue Notice to the Collector **vide Rules 396** of the Bombay High Court (O.S.) Rules, 1980 (for short "BHC Rules"). Issue citation to the non-consenting legal heirs of the deceased, if any. The advocate is directed to take steps. Ld. Advocate for the petitioner to ensure that requisitions under Chapter XXVI of the BHC Rules are complied with.

3. Advocate to file an affidavit of Service of General Citation and also effect service upon non-consenting legal heirs, if any as per Rules 399 and 400 of BHC Rules and also justify the surety of non-consenting legal heirs, if any, and furnish Administration Bond **for the gross amount** as per Rule 420 of the BHC Rules, within one week after that.

4. Office to verify if any cross-petition is filed, if cross-petition is filed, then take steps to place before the Hon'ble Court under Rule 407 of the Bombay High Court O. S. Rules.

5. S. O. to 10.03.2025

20.01.2025

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