

**Before :Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date 16th June 2025**

FOR COMPLIANCE:

**46.TP/
3499/2024**

**P.C Mr. Milind Prabhune, Ld. Advocate for the
Petitioner.**

- 1) This is a petition for grant of Letters of Administration, under the Provisions of Indian Succession Act, 1925 (for short "IS Act") for the properties left by the deceased, namely Charan Shrikant Khatu (For short "Said deceased"). The petitioner, namely Darshana Venkatesh Santhanam Nee Darshana Khatu, has filed documents.
- 2) I have heard Ld. Advocate. I perused the documents, such as true copy of the death certificate of the deceased, identity proof of the deceased, oath in the prescribed format, affidavit of service citation.
- 3) Ld. advocate moves a praecipe dated 16.06.2025 and thereby seeks permission to amend the prayer, as per the Bombay High Court (O.S.) Rules, 1980. Submission accepted. Re-verification dispensed with. Amendment to be carried out within 07 days from the date of uploading this order.
- 4) Said deceased died as a Divorcee on 04-05-2023 at Uttar Pradesh leaving behind him legal heir, shown in the paragraph No. 4 of the petition. Petitioner states that there are no other legal heirs to the deceased, except heirs shown in the petition. Deceased left properties shown in the schedule-I of the petition.
- 5) Citation was issued, which has been duly

affixed on the Notice Board of the Hon'ble High Court and notice board of the Collector's Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the Bombay High Court(O.S.) Rules, 1980(for short "BHC Rules") and an affidavit to that effect has been filed. Notice to collector has been issued vide Rule 396 of BHC Rules. Till today, no one appeared to resist the claim of the petitioner or nothing is brought to the notice regarding pending litigation pertaining to the same properties. Hence, the petition is treated as uncontested one.

6) In view of the Order, passed in the TP No. 2918/2023, the petitioner being sole heir, is exempted from the furnishing the surety Bond.

7) Ld. Advocate for the petitioner submitted that in view of provisions of the Hindu Succession Act, 1956, the petitioner, being Sister of the deceased, is entitled to seek a Letters of Administration. Hence, facts stated by petitioner, on oath, remained unchallenged and required to be accepted. Accordingly, petition deserves to be allowed, as prayed for. Hence, following order:

ORDER

1) The Petitioner to amend the prayer and upload the amended petition within period of 07 days from the date of uploading this order, if the petition is pending.

2) Subject to above compliance, the petition is allowed and the Letters of Administration be granted to the petitioner for properties, left by the deceased and shown in the schedule, in prescribed format as per the provisions of the Indian Succession Act, 1925.

3) The petitioner to file an account as under taken in a Petitioner's Oath within stipulated period.

4) Before issuance of the grant, the office to

verify that there is no cross Petition is pending or caveat resisting the petition is filed.

16th June 2025

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