

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 09th January, 2025

FOR COMPLIANCE :

62. TP/4688/2024 P. C. : Shri. Ravi Jaiswal Ld. Advocate for the Petitioner
[Original]
(ECHCBM02143802
024)

1. Citation issued. Furthermore, petitioner has brought on record legal heirs of Lachman Chablani who died in the year 2024. However, petitioner also brought on record Nanik and others, serial no. 3 to 6 who cannot be legal heirs of the deceased in view of Class-II, Entry-IV of the schedule appended to the Hindu Succession Act, 1956, as per the Rule 3 of Section 16. Hence, petitioner to correct the information in this regard by carrying out necessary amendment. By deleting the names of the persons who cannot be legal heirs of the deceased vide Section 08 to 13 of the Hindu Succession Act, 1956, their names may be shown in the said paragraph of the petition for the sake of information only.

2. After amendment, office to issue citation. Issue Citation within two weeks from the date of amendment. 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 25.02.2025

09.01.2025

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