

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

FOR COMPLIANCE :

66. TP/4878/2024
(AMH20230049452C202
400003)

P. C. : Ms. Chutira Singh i/b MAHALA NAHAR SINGH Ld.
Advocate for the Petitioner

1. Read praecipe dated 09.12.2024, petitioner seeks permission to amend the information about the legal heirs of the deceased, by deleting the name of the mother of the deceased. Ld. Advocate for the petitioner submits that as per Sec. 33 of the Indian Succession Act, 1925 (for short "IS Act") in life time of the widow of the deceased, the mother of the deceased would not get the right to inherit the property of the deceased.
2. I have gone through the provision of Sec. 33(b) of the IS Act.
"(b) save as provided by section 33A, if he has left no lineal descendant, but has left persons who are of kindred to him, one-half of his property shall belong to his widow, and the other half shall go to those who are kindred to him, in the order and according to the rules hereinafter contained;"
3. Considering the above referred provision, it appears that submission of the Ld. advocate for the petitioner is appeared to be proper and therefore, the praecipe stands allowed.
4. The petitioner to carry out an amendment within 03 weeks from the date of uploading this order, if the petition is pending. Furthermore, petitioner to inform the person about the deletion of the name. Amended petition to be uploaded within 05 days from the date of amendment.
5. S.O. to 03.03.2025

16.01.2025

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