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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION

TESTAMENTARY PETITION NO. 5790 OF 2024

Julian D'Souza S/o Joseph D'Souza .. Deceased

Kenneth Dennis Anthony D'Souza .. Petitioner

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- Mr. Dinesh Arjun Wani i/b Clifford Markis, Advocates for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 25, 2025.

P.C.:

- 1.** Heard Mr. Wani, learned Advocate for Petitioner.
- 2.** Present Testamentary Petition is filed by Petitioner for issuance of Succession Certificate in respect of the properties and credits of deceased Julian D'Souza S/o Joseph D'Souza. The names and details of legal heirs of the deceased are stated in paragraph No. 4 of the Petition. Purpose for filing the present Petition is stated in paragraph No. 7 of the Petition. I have perused the same.
- 3.** Consent affidavits dated 28.06.2023 of Jennifer Philomena D'Souza, the legal heir of the deceased are appended to page No. 21 of the Petition.
- 4.** In view of the above, there can be no impediment in allowing the Petition. Testamentary Petition is allowed and disposed of

in terms of prayer clause in para No. 11 which reads thus:-

“(a) That the Succession certificate may be granted to the Petitioner in respect of the Debts and Securities as set forth in Schedule-1 hereto with power to collect the said Debts and to negotiate or transfer the said Debts and transfer and with power to collect, negotiate or otherwise deal with the said Securities and to receive dividend thereon.”

5. Department is directed to issue the Succession Certificate as directed above within a period of 3 weeks from today positively.

6. Testamentary Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department.

[MILIND N. JADHAV, J.]

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AJAY TRAMBAK
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Date: 2025.12.11
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