

Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY & INTESTATE JURISDICTION
TESTAMENTARY PETITION NO. 5825 OF 2024

Hari Tukaram Pawar alias Hari T. Pawar alias
Hari Pawar alias H.T. Pawar .. Deceased

Ashok Hari Pawar .. Petitioner

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- Ms. Jyoti Badgujar a/w. Sanaa Varhali, Advocates i/by Lakdawala & Co. for for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 12, 2025.

P.C.:

- 1.** Heard Ms. Badgujar, learned Advocate for Petitioner.
- 2.** In this Testamentary Petition No.5825 of 2024, today Interim Application (L) No.37711 of 2024 has been allowed and dispensation of the surety stands allowed by the Court by a separate order. Present Petition is also mentioned forthwith and taken up for hearing.
- 3.** Ms. Badgujar, learned Advocate appearing for Petitioner informs the Court that all office objections stand complied with and there are no more compliance is required to be done.
- 4.** Present Testamentary Petition is filed by Petitioner for issuance of legal heirship certificate under Section 2 of Bombay Regulation VIII of 1827 in respect of the properties and credits of deceased Hari Tukaram Pawar alias Hari T. Pawar alias Hari Pawar alias H.T. Pawar. Petitioner is the son of deceased. Joint consent of

legal heirs of deceased whose names and details are mentioned in paragraph No.4 of the Petition is appended to the Petition. Purpose for filing the present Petition is stated in paragraph Nos.7 & 8 of the Petition.

5. Joint consent Affidavit referred to above, *inter alia*, states that the deponent thereof do not have any objection if the heirship certificate is granted in the name of Petitioner. The full and free consent of all other legal heirs in favour of Petitioner is given in the joint consent Affidavit dated 16.10.2024 appended at page Nos.24 to 26 of the Petition.

6. 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 as prayed for which read thus:-

" That Letters of Administration may be granted in favour of the Petitioner herein having effect throughout the State of Maharashtra."

7. Issuance of proclamation stands dispensed with.

8. Department is directed to issue the legal heirship certificate as directed above within a period of 3 weeks from today positively.

9. 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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by AJAY
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