

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION
MISCELLANEOUS PETITION NO. 108 OF 2025**

Subhadra Anant Kesarkar

...Petitioner

Rukmini Vithoba Khedekar

...Deceased

Mr. Onkar Gawade a/w Komal Gosavi for the Petitioner.

Ms. Jyoti Chavan, AGP, is present.

Mr. Sunil Jadhav, Section Officer, R & F Department Mantralaya, is present.

CORAM : ARIF S. DOCTOR, J.

DATE : 09th APRIL, 2025

P.C. :

1. This Court had on 25th March, 2025 passed the following order:

"P.C. :

1. *Since, today there is no clarity whether the petitioner is entitled to waiver of court fees.*
2. *Stand over to 8th April 2025."*

2. In view of the requisition raised by the Testamentary Registrar, Ms. Chavan, Learned AGP, on instructions, submits that the State Government has issued a notification dated 9th August, 2024, which reads thus:

“Maharashtra Court Fees Act.

No. Mudrank-2023/C.R.641/M-1(Policy).- In exercise of the powers conferred by section 46 of the Maharashtra Court Fees Act (XXXVI of 1959), the Government of Maharashtra, hereby reduces the maximum limit of fees from Rs. 75,000/- to Rs. 10,000/-, payable by widows on probate of a will or letters of administration with or without will annexed, specified in Article 10 of the First Schedule appended to the said Act, to be filed in any Civil Court in respect of obtaining Heirship Certificate from the date of publication of this notification in the Official Gazette.”

3. In light of this, it is her submission that it should apply to all widows in cases for application for probate, letters of administration, succession certificate and legal heirship certificate irrespectively. With this clarification, nothing further remains.

4. The registry is directed to proceed accordingly.

5. Needless to state that this will apply to all the matters to which the notification pertains.

(ARIF S. DOCTOR, J.)