

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date 02nd December, 2025**

FOR COMPLIANCE:

38. TP/859/2025 P. C. : Ms. Aishwarya Shetty a/w Shri. Sandeep Wankhede i/b
(AMH2024012969 Divekar & Co. Ld. Advocate for the Petitioner
6C202500003)

P.C.:

- 1) Petitioner, namely Yesh Praful Nikam, has applied for the grant of Letters of Administration, under the provisions of the Indian Succession Act, 1925 (for short "IS Act"), for the properties left by the deceased, namely Praful Sampatrao Nikam(For short "Said deceased").
- 2) I have heard Ld. Advocate. I perused the documents, such as a true copy of the death certificate of the deceased, an identity proof of the deceased, an oath in the prescribed format, affidavit of service citation.
- 3) Said deceased died as a married on 27-04-2023 at New York, United States of America leaving behind him legal heirs, shown in the paragraph No. 4 of the petition. Petitioner states that there are no other legal heirs to the deceased, except heirs shown in the petition. The deceased left properties shown in Schedule I of the petition.
- 4) Citation was issued, which has been duly affixed on the Notice Board of the Hon'ble High Court and notice board of the Collector's Office at Mumbai and 14 days have been expired vide Rule 397(1) and (4) of the Bombay High Court(O.S.) Rules, 1980(for short "BHC Rules") and an affidavit to that effect has been filed. Notice to the collector has been issued vide Rule 396 of the BHC Rules. Till today, no one has appeared to resist the claim of the petitioner, nor has anything been brought to the notice regarding pending litigation about the same properties. Hence, the petition is treated as an uncontested one.
- 5) Legal heir of the deceased has consented by way of Affidavit to grant the prayer of the petitioner to grant a Letter of Administration, without reserving any right. The legal heir has accepted the facts regarding their relationship, inter se.
- 6) As per Order dated 14.11.2025, passed in IA/5200/2025, Hon'ble Court has dispensed with the filing of Administration bond as per Rule 420 of the Bombay

High Court (O. S.) Rules, 1980.

7) Ld. Advocate for the petitioner submitted that in view of provisions of the Hindu Succession Act, 1956, the petitioner, being Son of the deceased, is entitled to seek a Letters of Administration. Hence, facts stated by the petitioner and heirs of the deceased, on oath, remained unchallenged and required to be accepted. Accordingly, the petition deserves to be allowed, as prayed for. Hence, following order:

ORDER

- 1) Petition is allowed and the Letters of Administration be granted to the petitioner for properties, left by the deceased and shown in the schedule, in the prescribed format, having effect throughout the State of Maharashtra as per the provisions of the Indian Succession Act, 1925.
- 2) The petitioner to file an account as undertaken in a Petitioner's Oath within the stipulated period.
- 3) Before issuance of the grant, the office to verify that there is no cross-petition pending or caveat resisting the petition is filed.

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with the Testamentary Department