

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 13th March, 2025

FOR DIRECTION :

9. TP/1074/2025
(AMH20210053261C202
500007)

P. C. : Shri. Vilas Kadu i/b Seema Hunnurkar Ld. Advocate
for the Petitioner

1. Perused Petition. Heard Ld. advocate for the petitioner.
2. The petition is filed for grant of letters of Administration to the properties of Oswald Pascal Saldanha, Indian Christian, who died bachelor on 30.07.2017. Said deceased left behind him, his father (Lawrence Rosario Saldanha) and Mother (Rita Lawrence Saldanha).
3. The present petition is filed by Mother of the deceased and in paragraph no. 4 of the Petition, the petitioner has mentioned herself as one of the legal heirs along with the Father of the deceased.
4. As per the Sec. 42 of the Indian Succession Act, 1925, where deceased dies without any lineal descendants, then father would entitle to inherit the property of the deceased.
5. Hence, present petition is filed by the mother of the deceased, who cannot claim inheritance along with the father of the deceased. Hence, the petition can be filed by the father of the deceased. Hence, the petitioner should take out a Chamber Order for the amendment.
6. S. O. to 24.03.2025

13.03.2025

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