

HARSHADA H. SAWANT
(P.A.)

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

TESTAMENTARY PETITION NO.1267 OF 2025

Dr. Nazeer Ahmed alias Nazeer Ahmed, son of
Abdul Azeez .. Deceased

Rafia Khatoon widow of Nazeer Ahmed .. Petitioner

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• Mr. Ajit Hodage, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : SEPTEMBER 12, 2025

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 12.09.2025. Perused the praecipe.

2. Heard Mr. Hodage, learned Advocate for Petitioner.

3. The praecipe is preferred seeking a direction to accept the Administration Bond as surety mentioned therein is not a resident of Mumbai.

4. The learned Counsel for the petitioner submits that the petitioner is a resident of Karnataka. It is, therefore, not possible for the Petitioner to arrange surety from Mumbai. The petitioner has arranged a surety from Karnataka. Attention of the Court is invited to the orders passed by this Court, especially the order dated 01.12.2021 in Testamentary Petition No.166 of 2020, whereby this Court had permitted the Petitioner therein to furnish surety, who was not a

resident of Mumbai. It is noted therein that there is no mention in the Rules that the surety mentioned in the Administration Bond should be from the State of Maharashtra and/or from Mumbai.

5. In view of the aforesaid facts and the orders passed by this Court, the objection raised by the Registry that the surety is not from Mumbai stands dispensed with.

6. The Petition be processed by permitting the petitioner to furnish a surety who is not a resident of Mumbai.

7. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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SAWANT

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by HARSHADA
HANUMANT
SAWANT
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