

**Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 03rd September, 2025**

FOR HEARING :

60. TP/1374/2025
(AMH20210052198C2025
00006)

P. C. : Shri. Mohit Bharadwaj Ld. Advocate for the
Petitioner

with
WILL/558/2025

1. Heard Ld. advocate for the petitioner. He seeks an extension of the time to carry out an amendment, which has been granted by the undersigned officer vide its order dated 12.08.2025. Considering the submission, the time to carry out an amendment, vide a referred order, stands extended by 04 weeks, from the date of uploading this order, on the same terms and conditions, which are referred in the said order. Furthermore, Re-verification is dispensed with.

2. Under the Will, the legacy is given to Neena Khatri, Gariman Johal and Tanaya Johal. Neena Khatri has not consented to the petition. Hence, the petitioner to take steps to justify the surety to the Administration Bond, in respect of the legacy of non-consenting Legal heirs of the deceased, namely Neena Khatri, vide Rule 422 of the Bombay High Court (OS) Rules, 1980. Ld. advocate for the petitioner submits that the provision of Rule 422 of the Bombay High Court (O.S.) Rules, 1980 will not be applicable, as it is a testate succession. However, as per the provisions of Rule 422 of the Bombay High Court (O.S.) Rules, 1980, where the petitioner is to receive the grant of Letters of administration for the property, including the share of a non-consenting legal heir/legatee, then surety to the Administration Bond is required to be justified.

3. Ld. advocate for the petitioner submits that he will file the consent of Gariman Johal and Tanaya Johal. Hence, the petitioner should take steps in this regard.

4. Surety in Administration bond filed in TP/1371/2025 and in TP/1374/2025 are the same. Hence, the petitioner to satisfy that the surety can honour the amount in TP/1371/2025 and in TP/1374/2025. Hence, adjourned.

5. Stand Over to 25.09.2025

03.09.2025

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