

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date 26th November 2025**

FOR COMPLIANCE:

49. TP/2101/2025 P. C. : Ms. Swati S Mathkar i/b Shirish Mathkar Ld. Advocate
(AMH2024013194 for the Petitioner
9C202500013)

P.C.:

- 1) Petitioners, namely 1) Neha Sandip Das, 2) Bhavna Sandip Das, have 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 Shalini Sandip Das alias Shalini Sandeep Das (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 12-04-2024 at Mumbai leaving behind her legal heirs, shown in the paragraph No. 4 of the petition. Petitioners state 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) Petitioner submits that whereabouts of the husband namely Sandip Samar Das @ Sandeep Samar Das are not known to him. Hence, he has filed Chamber Order having no. 393/2025, as per Rule 400 of the Bombay High Court (O.S.) Rules, 1980.
- 6) Furthermore, petitioner has filed undertaking to transfer the share in the name of the non-consenting legal heirs as per the order passed in JOT/288/2025.

7) Petitioner has filed the administration Bond in the prescribed form No. 118 with surety.

8) Ld. Advocate for the petitioners submitted that in view of provisions of the Hindu Succession Act, 1956, the petitioner, being Daughters of the deceased, are entitled to seek a Letters of Administration. Hence, facts stated by the petitioners 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 petitioners for properties, left by the deceased and shown in the schedule, in the prescribed format, having effect throughout the the State of Maharashtra as per the provisions of the Indian Succession Act, 1925.
- 2) The petitioners 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