Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date : 27th June, 2025

CALLED FOR DIRECTION:

26.TP/2799/2025) **Mr. Sherekar Mahadeo, Ld. Advocate for the Petitioner.**

P. C. :) 1. Heard Ld. Advocate for the petitioner. Read praecipe dated 27.06.2025. Petitioner seeks permission to amend the petition, as stated in it. Considering the reason, praecipe is allowed. Petitioner to carry out an amendment withing period of **03** weeks from the date of uploading this order, if the petition is pending. Furthermore, in case of online petition, the petitioner to upload the amended petition, within period of 05 days from the date of amendment. Re-verification stands dispensed with. Ld. advocate for the petitioner to initial the amendment.

2. Perused Petition. Issue Citation within two weeks from the date of uploading of this order. Issue Notice to the Collector **vide Rules 396** of the Bombay High Court (O.S.) Rules, 1980 (for short "BHC Rules"). Issue citation to the non-consenting legal heirs of the deceased, if any. The advocate is directed to take steps in this regard. Ld. Advocate for the petitioner to ensure that requisitions under Chapter XXVI of the BHC Rules (such as proper prayer, information of the legal heirs, explanation about the delay, etc., if applicable) are complied with.

3. Advocate to take steps in respect of service of General Citation and also to affect the service upon non-consenting legal heirs, if any, as per Rules 399 and 400 of BHC Rules. In case non-consenting legal heirs, the petitioner shall justify the share of such heir/s. The petitioner shall furnish administration Bond **for the gross amount as per Rule 420 of the BHC Rules**, within one week after that, if there are another legal heir/s other than the petitioner/s.

4. Office to verify if any cross-petition is filed, if cross-petition is filed, then take steps to place before the Hon'ble Court under Rule 407 of the BHC Rules.

5. S.O. to 13.08.2025

Officer on Special Duty,
27.06.2025 **with Testamentary Department**