

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 01st August, 2025

FOR DIRECTION :

30. TP/3771/2025 PC. : Ms. Bhakti Patil i/b Prabhu Velar Ld. Advocate for
(AMH20240128529 the Petitioner
C202500078)

1. Perused Petition. Heard Ld. advocate for the petitioners.

2. Petitioners have filed the petitioner for grant of Letters of administration in respect of the properties left by Rahibai Pandurang Kamble (for short "the deceased"). The petitioner Nos. 1 and 2 have filed the petitioner for themselves. Furthermore, the petitioner No. 1, on behalf of the (3) Shekhar Pandurang Kamble and (4) Shakuntala Pandurang Kamble, being the legal guardian thereof, has filed the petition.

3. However, as per the provisions of the Sec. 246 of the Indian Succession Act, 1925, legal guardian of the such person, can apply for issuance of the grant in circumstance, where only such person (minor/lunatic, as the case may be) is the sole legal heir of the deceased. Hence, in present petition, the petitioner No. 1 and 2 are entitled to administer the properties of the deceased, apart from the other legal heirs (Petitioner No.3 and 4). Hence, petition on behalf of the petitioner No. 1 being natural Guardian of (3) Shekhar Pandurang Kamble and (4) Shakuntala Pandurang Kamble can not be entertained. Furthermore, the petitioner No. 1 has not produced any documents or order, by which she has been appointed as legal guardian of these persons.

4. Hence, the petitioner to take steps to entertain the petition on behalf of the petitioner No. 1 and 2 only.

5. S. O. to 18.08.2025.

01.08.2025

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