

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 30th July, 2025

FOR DIRECTION :

8. TP/3804/2025 P.C.: None for the Petitioner
(AMH2024012752
7C202500008)

1. By this praecipe, dated 24.07.2025, Ld. advocate for the petitioner seeks a dispensation from production of the original death Certificate of the deceased No.1, on ground that the petitioner has only one copy of the death certificates of these deceased persons. According to Ld. advocate for the petitioner, petitioner is unable to procure the another copy of the death certificate of the deceased No.1.
2. In this regard, the Hon'ble Court, vide an order dated 06.03.2024 in Testamentary Petition (L) No.33006/2024, has given general directions that this office can deal with such requisitions, vide Rule 371 of the Bombay High Court (OS) Rules, 1980.
3. However, no such facts are stated on the oath by the petitioner, pointing out such restrictions in regard of issuance of the death certificates. Hence, let the petitioner to file an affidavit in this regard, stating the reasons for non-production of the death certificate of the deceased. Furthermore, the petitioner has to give an undertaking that whenever, the office calls upon him to produce the original death certificate of the deceased, he will produce it or caused to be produced with.
4. Furthermore, the petitioner may produce the death certificate as per the directions and seeks relief to replace it by its certified copy by following due procedure laid down in this regard with an undertaking that he will produce the same as and when required. Then purpose of filing the death certificate will suffice.
5. Petitioner to comply within 04 weeks from the date of uploading this order.
6. Removed from the board, if any directions are required, then the petition be listed on the board by moving praecipe.

30.07.2025

Officer on Special Duty,
with Testamentary Department

3. Ms. Unnati Gala i/b Ld. Advocate for the petitioner submitted that she wants to withdraw the praecipe and same is listed for issuance of citation.
4. The petitioner to explain that whether the property is held by the deceased No.1 and 2 jointly and make necessary averment in this regard. List on 13.08.2025.

30.07.2025

Officer on Special Duty,
with Testamentary Department