Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date 12th December, 2025

FOR COMPLIANCE:

82. TP/4454/2025	)	Shri. Rajesh Maravoor i/b Maravoor Wamorkar &
(AMH20240130182C202500007)	)	Co. Ld. Advocate for the Petitioner
	)	

P.C.:

1) Petitioner, namely Roque Francis Fernandes, has 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 QUETER SABSISTANCE FERNANDES Alias QUETER FERNANDES, Alias K. F. FERNANDES(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 Widow on 12-12-2014 at Mumbai leaving behind her legal heirs, shown in the paragraph No. 4 of the petition. Petitioner states 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. The delay has been explained vide Rule 382 of the Rules.

4) Office issued Citation to all concern and same has been 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"). 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) In view of the order passed by the Hon'ble Court in TP Nos. 2556 & 2559 of 2022 dated 28.02.2023, the petitioner, being the sole heir of the deceased, is exempted from furnishing the administrative bond.

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

12th December, 2025

Officer on Special Duty,
with the Testamentary Department