

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO.337 OF 2025

Rasiklal Jamnadas Jariwala .. Deceased

Sanat Rasiklal Jariwala and Anr. .. Petitioners

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• Mr. Shyamsundar Solanke, Advocate for Petitioners.

CORAM : MILIND N. JADHAV, J.

DATE : DECEMBER 18, 2025

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 18.12.2025. Perused the praecipe.
2. Heard Mr. Solanke, learned Advocate for Petitioner.
3. Though by praecipe it is argued by Mr. Solanke that proclamation has been issued it is *prima facie* seen that citation was served on non-consenting legal heir of the deceased who is younger brother of Petitioner No.1 on 27.11.2025.
4. On praecipe such matters cannot be decided by the Court since a proper notice will have to be issued to the non-consenting legal heir to remain present in the Court on a particular date when the matter will be listed as he has received the citation.
5. A copy of this order and Petition shall be served alongwith Advocate's notice on the non-consenting legal heir intimating him

about next date of listing on which date the matter will be heard and appropriate Affidavit of service will be filed by Petitioner.

6. The non-consenting legal heir – Mukesh Rasiklal Jariwala is directed to remain present on the next adjourned date.

7. It is clarified that if the non-consenting legal heir is served and if he does not remain present, Court will pass appropriate orders on the next adjourned date.

8. Stand over to **16th January 2026**.

9. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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