

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
IN ITS COMMERCIAL DIVISION

**INTERIM APPLICATION NO.1745 OF 2025  
WITH  
INTERIM APPLICATION NO.4795 OF 2025  
IN  
TESTAMENTARY PETITION NO.2994 OF 2019**

VISHAL  
SUBHASH  
PAREKAR

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VISHAL SUBHASH  
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Date: 2025.11.17  
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Rajendra Bhagwan Sawant and Anr.

...Applicants

**Versus**

Sanjay Bhagwan Sawant (Deceased)

...Respondent

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*Mr. B.G. Saraf a/w. Mr. G.J. Jain and Mr. Ajay Pagedar, for the Applicants.*

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**CORAM : SHARMILA U. DESHMUKH, J.**

**DATE : NOVEMBER 14, 2025**

**P. C. :**

1. Mentioned. Not on board. Taken on board.
2. Learned counsel for the Applicants submits that as the non-consenting heirs have now given their consent affidavits, the Interim Applications which sought the relief of dispensing with the justifying surety no longer survives for consideration.
3. Interim Applications are disposed of in view of the submissions made by the learned counsel for the Petitioners.
4. By order dated 21<sup>st</sup> February, 2025 the objection raised by the testamentary department to justify the share of non-consenting legal

heirs directing the Petitioners to file personal bond justifying the share of non-consenting legal heirs.

5. Considering that the consent affidavits have been filed, the requirement of filing personal bond justifying the share of non consenting legal heirs does not survive.

6. Interim Applications disposed of.

**[SHARMILA U. DESHMUKH, J.]**