

**Before: Shri. P. A. Jagdale,
Officer on Special Duty,
With the Testamentary Department
Date 17th February, 2026**

FOR COMPLIANCE:

49. TP/2151/2024) Mr. Jayant Wani i/b R.S. Dube Ld. Advocate for
)
) the petitioner

P.C.:

- 1) Petitioner, namely SHYAM JAMNAPRASAD PANDEY being Constituted Attorney of GULABDHAR SARJUPRASAD PANDEY, 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 SARJUPRASAD DEVIPRASAD PANDEY,(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 Widower on 17-11-2019 at Gyanpur, Uttar Pradesh leaving behind him 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) Petitioner has filed the administration Bond in the prescribed form No. 118 with surety.
- 6) Ld. Advocate for the petitioner submitted that in view of provisions of Hindu Succession Act, 1956, the petitioner, being being Constituted Attorney of GULAB

DHAR SARJUPRASAD PANDEY a 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 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.

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