

Ajay

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

TESTAMENTARY PETITION NO. 1735 OF 2025

Ahmed Husain Rehmatullah .. Deceased

Mohammed Ahamad Husain S/O. Ahmed
Husain Rehmatullah .. Petitioner

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- Mr. Dinesh Wani a/w Mr. Jayant Wani i/b Mr. Anupam Dubey,
Advocates for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 05, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 05.05.2026. Perused the praecipe.
- 2.** Heard Mr. Wani, learned Advocate for Petitioner.
- 3.** Present Petition is filed by Petitioner for issuance of Succession Certificate under Section 372 of Indian Succession Act, 1925 in respect of the properties and credits of deceased Ahmed Husain Rehmatullah. The names and details of legal heirs of the deceased are stated in paragraph No.4 of the Petition. Purpose for filing the present Petition is stated in paragraph No.7 of the Petition. I have perused the same.

4. Consent affidavits dated 18.05.2023 of Akhtar Husain S/O Ahmed Husain Rehmatullah, Amina Khatoon W/O. Safaullah, Momina Khatoon W/O. Ajad Khan, Ashama Khatun W/O. Ali Ahmad and Zubaida Khatoon W/O. Mohammad Zafar, the legal heirs are filed on record and appended at page Nos. 20,25, 30, 35 and 40 of Petition.

5. In view of the above, there can be no impediment in allowing the Petition. Misc. Petition is allowed and disposed of in terms of un-numbered prayer clause which read thus:-

“The Succession Certificate may be granted to the petitioner in respect of the debts set forth in Schedule I hereto, with power to collect the said debts with interest thereon.”

6. Issuance of proclamation stands dispensed with.

7. Department is directed to issue the Succession Certificate as directed above within a period of 3 weeks from today positively.

8. Misc. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department.

[MILIND N. JADHAV, J.]

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