

HARSHADA H. SAWANT
(P.A.)

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

INTERIM APPLICATION (L) NO.2259 OF 2026
IN
TESTAMENTARY PETITION NO.1927 OF 2025

Rajmani Shukla alias Rajmani Bishwanath
Shukla .. Deceased

Bimla Rajmani Shukla Applicant
.. /Petitioner

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- Mr. Bipin Joshi a/w. Mr. Aniruddha Lad, Advocates i/by KLT Law Associates for Applicant / Petitioner.
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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 22, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 22.01.2026. Perused the praecipe.
- 2.** Heard Mr. Joshi, learned Advocate for Applicant / Petitioner.
- 3.** Applicant is the original Petitioner who is the wife of the deceased. She sought Letters of Administration in respect of the properties and credits of deceased. There are six legal heirs of the deceased whose names are mentioned in paragraph No.2 of the Petition. Out of the said 6 legal heirs, Ashutosh Rajmani Shukla, son of the deceased and Seema Mahesh Singh, married daughter of the deceased have not given their consents. Considering the nexus of the non-consenting legal heirs with the deceased, and the fact that Petition

is filed by wife of deceased, I am inclined to accept the submissions made by Mr. Joseph and allow the Application.

4. In that view of the matter, Interim Application stands allowed in terms of prayer clause (a) which reads thus:-

“a. that this Hon’ble Court be pleased to dispensed with the justifying surety of non-consenting legal heir viz. (1) Ashutosh Rajmani Shukla (son of the deceased); and (2) Seema Mahesh Singh (married daughter of the deceased), in view of the undertaking given by the Applicant (Orig. Petitioner) in the present Interim Application;”

5. Department is directed to administration bond which is already filed and Affidavit / undertaking as required for adequate security for justifying the surety of the two non-consenting legal heirs. Department has accepted already the consents of other legal heirs which shall be kept on record.

6. With the above directions, Interim Application stands allowed and disposed.

7. Considering the Petition is filed by wife of deceased and on perusing the Petition, the aforesaid was the only impediment in view of the objection raised in the requisition dated 08.01.2026, the same stands dispensed with by the order passed in the Interim Application.

8. Petition seeks issuance of Letters of Administration in respect of the properties and credits of deceased Rajmani Shukla alias Rajmani Bishwanath Shukla. 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 Nos.6 to 9 of the Petition. Consent Affidavits dated 28.09.2024 of Usha Umesh Mishra appended at page No.21, consent affidavit of Madhuri Sandeep Mishra which is undated is appended at page No.26 and consent Affidavit dated 26.09.2024 of Asma Sammer Ahmed Khan appended at page No.30 of the Petition. I have perused the same.

9. In view of the above, there can be no impediment in allowing the Petition. Testamentary Petition is allowed and disposed of in terms of unnumbered prayer clause which reads thus:-

“That the Letters of Administration be granted to her having effect throughout the State of Maharashtra.

10. Department is directed to issue the Grant as directed above within a period of 2 weeks from today positively.

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

12. Interim Application is also allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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