

one third share of the son of the deceased. For the reasons which are mentioned in paragraph No.6 of the Application and submissions made today including the fact that citations have been issued, Caveat having been filed, no objection raised by the non-consenting legal heir the request made for dispensation of one-third share of the non-consenting legal heir is allowed. Appropriate Grant as prayed for in terms of prayer clause (b) is allowed by the Court on due compliance. Interim Application is allowed in terms of prayer clause (a).

4. Testamentary Petition No.5583 of 2024 is taken up forthwith for hearing.

5. Present Testamentary Petition is filed by Petitioner for issuance of Letters of Administration in respect of the properties and credits of deceased Harbans Lal Sagar Alias Harbanslal S/o Kishinlal Alias Harbanslal Kisanchand Sagar. The names and details of legal heirs of the deceased are stated in paragraph No.4 of the Petition.

6. Considering the averments made in the Petition which is filed by the wife of the deceased and consent of all the other legal heirs namely Consent affidavits dated 7.10.2024 of Deepak Vijay Sagar and Dheeraj Vijay Sagar the legal heirs of the deceased are appended to the Petition, there can be no impediment in allowing the Petition. The order for dispensation of surety of the non-consenting legal heir is passed in the Interim Application No.7070 of 2025. Testamentary

Petition is allowed and disposed of in terms of un-numbered prayer clause which reads thus:-

“Letters of Administration may be granted to her having effect throughout in the State of Maharashtra.”

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

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

H. H. SAWANT

[MILIND N. JADHAV, J.]

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