

Amberkar

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

TESTAMENTARY SUIT NO. 170 OF 2024
IN
TESTAMENTARY PETITION NO. 323 OF 2023

Chananshah Ramchandshah Sethi .. Deceased

Pawan Chananshas Sethi & Ors. .. Plaintiffs

Versus

Usha R. Joshi .. Defendant

-
- Mr. Sandesh Kamble i/by Mr. Avinash Gokhale, Advocate for Plaintiffs

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 13, 2026

P. C.:

1. Heard Mr. Kamble, learned Advocate for Plaintiffs. Present Suit is taken up for hearing at the time of rising in view of the exigency mentioned by him.

2. Four sisters are Plaintiffs / Petitioners herein whereas Caveatrix is the fifth sister. Since Caveatrix had taken objection Petition was converted into Suit. Today Caveatrix Ms. Usha R. Joshi, learned Advocate practicing in this Bar is present before Court. She would submit that she has filed her consent affidavit dated 28.08.2025 original of which is shown to me. She would submit that in that view of the matter, there can be no impediment in allowing the Petition since all five daughters of the deceased are *ad idem* for issuance of

grant. Other four daughters are incidentally the Plaintiffs / Petitioners. In that view of the matter, there can be no impediment in allowing the Petition. Petition is therefore taken up for hearing forthwith.

3. Present Petition is filed by Petitioner for Letters of Administration in respect of the properties and credits of deceased abovenamed. The names and details of legal heirs of the deceased are stated in the Petition. Purpose for filing the present Petition is stated in the Petition.

4. Fifth daughter i.e. non consenting legal heir has filed her consent affidavit. The same is directed to be filed online as well as offline. Department shall accept the same. She would submit that she has already filed the same online. Once that is done, Grant shall be issued to the Petitioner and non-consenting legal heir within a period of three weeks therefrom.

5. Issuance of proclamation stands dispensed with.

6. Petition is allowed and disposed subject to compliance of office objections, if any, forthwith which shall be allowed by the Department. It is clarified that the 3 week period shall start from the date of removal of office objections.

[MILIND N. JADHAV, J.]