

HARSHADA H. SAWANT
(P.A.)

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

TESTAMENTARY PETITION NO.790 OF 2026

Ram Raghunath Kadam .. Deceased

Samidha Ram Kadam .. Petitioner

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• Mr. Kaustubh J. Javle, Advocate for Petitioner.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 30, 2026

P.C.:

1. Not on Board. Mentioned at 03:00 p.m. by way of filing praecipe dated 30.03.2026. Perused the praecipe.

2. Heard Mr. Javle, learned Advocate for Petitioner.

3. Mr. Javle has persuaded the Court to urgently hear the matter in view of exigency mentioned in the praecipe dated 30.03.2026.

4. At his request, the matter is mentioned out of turn and heard. He would submit that today morning the Petitioner received a letter dated 10.03.2026 from State Bank of India, Lalbaug Branch giving her final intimation for submitting stay order in respect of claim settlement of Petitioner's husband in regard to account which was in his name in their Branch.

5. Since nominee of the said Account is the sister of the

husband, Bank has intimated Petitioner that they will not withhold the settlement in favour of nominee unless an appropriate stay order from Competent Authority is brought by Petitioner. Letter dated 10.03.2026 has given the deadline of 31.03.2026.

6. Be that as it may, Petitioner before me is wife of the deceased. Nominee as informed by Mr. Javle is sister of the deceased. *Prima facie* the present proceedings are for issuance of Succession Certificate in respect of property and credits of the deceased i.e. movable properties of the deceased.

7. In view of the above, no purpose will be served in passing any stay order. The grievance of the Petitioner and the Petition itself are determined finally by this order in the interest of justice and the facts of the present case.

8. 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. 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.8 of the Petition.

9. After perusing the Petition it is seen that deceased is survived by wife who is Petitioner before me and daughter – Bhagyashri Ram Kadam who has given her consent Affidavit which is dated 30.11.2025

appended to the Petition. Citations have been issued and Administration Bond is filed in accordance with law which shall be accepted as adequate.

10. I have perused the same and the same are in order. Daughter of the deceased is staying in the United States of America. Petitioner is staying in India. There can be no impediment in allowing the present Petition as the same deserves to be allowed in accordance with law in view of compliances having been done.

11. Petition stands allowed in terms of prayer clause (a) which reads thus:-

“a. a Succession Certificate maybe granted to the Petitioner in respect of the debts set forth in Schedule – I hereto, with power to collect the said debts and to receive interest thereon.”

12. Issuance of any further proclamation stands dispensed with.

13. State Bank of India, Lalbaug Branch and any other Branch / Authority which is concerned with the holding of the Bank accounts of deceased as per Schedule of debts appended to the Petition shall ensure that all concerned shall act on server copy of this order and not part with the proceeds to any third party (nominee) and shall ensure that on the basis of this Grant issued by the Court, the rightful legal heirs of the deceased are handed over the sale proceeds in accordance with law.

14. Department is directed to issue the Succession Certificate to

Petitioner as directed above within a period of 2 weeks from today positively.

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

16. Mr. Javale informs the Court that final number has been received and all office objections have been removed.

17. Testamentary Petition is nomenclatured as 7906 of 2026. It is also listed before Registrar today. Be that as it may, Petition stands allowed and Grant be issued as directed hereinabove within a period of two weeks from today.

18. Testamentary Petition is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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