

HARSHADA H. SAWANT
(P.A.)

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

TESTAMENTARY PETITION NO.5842 OF 2025

Shriniwas Jaganath Mapankar alias Mhapankar
Shrinivas .. Deceased

Siddhi Vivek Chindarkar being the legal
guardian of Shrikant Jaganath Mapankar and
Anr. .. Petitioners

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• Mr. Nitin Parkhe a/w. Ms. Snehal Jagannath, Advocates for
Petitioners.

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CORAM : MILIND N. JADHAV, J.

DATE : JANUARY 07, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 07.01.2026. Perused the praecipe.
- 2.** Heard Mr. Parkhe, learned Advocate for Petitioners.
- 3.** At the outset Mr. Parkhe informs the Court that there is a typographical mistake in the name of the legal heir mentioned at Serial No. 1 in paragraph No.4. He submits that age of Shridhar Jaganath Mhapankar alias Shridhar Jagannath Mhapankar is not mentioned at Serial No. 2 in paragraph No.4 but it is otherwise mentioned in the cause title.
- 4.** Considering the above, leave to amend is granted to the Advocate to forthwith carry out the amendment and replace the name Shridhar with Shrikant in Serial No. 1 in paragraph No.4 of the

Petition.

5. Leave to amend is also granted to insert the age of Shridhar in Serial No.2 as 61 years. Amendment is permitted to be carried out forthwith in the presence of the Court. It is carried out in the hard copy given to the Court and the same is endorsed by the Court. These papers are sent to the Testamentary Department alongwith a signed copy of this order. Testamentary Department shall accept the same. Considering these exigencies expressed by the learned Advocate for Petitioners about the medical status of Shridhar and Shrikant and the advanced age of Rajashri, reverification stands dispensed with. Department is directed to accept the above amendment and if so required permit the same to be made online within a period of 1 week from today. Reverification stands expressly dispensed with in the facts of the present case.

6. Due to the peculiar facts, submissions and objections raised by the Department, Petition is take up for hearing forthwith.

7. The objection raised in the twin requisitions dated 26.11.2025 and 11.12.2025 in the facts and circumstances of the present case stand fully dispensed with. There are two separate certificates issued by the National Trust, *inter alia*, appointing the Petitioner namely Ms. Siddhi Vivek Chindarkar as a legal guardian of brothers (legal heirs of deceased) namely Shrikant Jaganath Mapankar

and Shridhar Jaganath Mhapankar who are both of unsound mind and are lunatic.

8. Certificates are appended at Exhibits-D and E, page Nos.22 and 23 of the Petition.

9. In that view of the matter, same stand accepted. Further in view of the fact that sister of the deceased being of advanced age and not residing with the two brothers and she having given her written consent in favour of the Petitioner which is appended to the Petition, the same shall be accepted by the Department as adequate and objection relating to filing of Petition by the Petitioner being niece of the deceased will stand dispensed with in the facts and circumstances of the present case.

10. Present Testamentary Petition is filed by the Petitioner for issuance of Letters of Administration in respect of the properties and credits of deceased Shriniwas Jaganath Mapankar alias Mhapankar Shrinivas. The names and details of the 3 legal heirs of the deceased are stated in paragraph No.4 of the Petition. Shridhar and Shrikant are brothers of the deceased. Deceased was a bachelor. His parents had predeceased him. Purpose for filing the present Petition is stated in paragraph No.4 of the Petition. I have perused the same.

11. Siddhi Vivek Chindarkar is appointed as the legal guardian of the legal heirs namely the two brothers of the deceased namely

Shrikant Jaganath Mapankar and Shridhar Jaganath Mhapankar who are both of unsound mind and consent of Rajashri Prakash Nandoskar their sister is appended at page No.17 of the Petition.

12. I have seen the Petition and considered the submissions made by the Petitioner. It is seen that Shridhar, Shrikant and Rajashri are all senior citizens. Rajashri herself is 71 years old. She is staying in Sindhudhurg. Considering these exigencies, in my opinion because of the peculiar facts and medical condition of Shrikant and Shridhar, and the written consent of Rajashri, there can be no impediment in allowing the Petition. Testamentary Petition is therefore allowed and disposed of in terms of prayer clause which read thus:-

“That letters of Administration may be granted to Petitioners having effect throughout the State of Maharashtra.”

13. Department is directed to issue the Grant as directed above to the Petitioners within a period of 3 weeks from today positively.

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

15. Testamentary Petition is allowed in the above terms.