

HARSHADA H. SAWANT
(P.A.)

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

INTERIM APPLICATION (L) NO. 6198 OF 2026
IN
MISCELLANEOUS PETITION NO.911 OF 2025

Trupti Rajesh Nadgauda Applicant / Orig.
.. Petitioner

IN THE MATTER BETWEEN:

Rajesh Jagannath Nadgauda alias Rajesh J.
Nadgauda .. Deceased

Trupti Rajesh Nadgauda .. Petitioner

WITH
TESTAMENTARY PETITION NO.5850 OF 2025

Rajesh Jagannath Nadgauda alias Rajesh J.
Nadgauda .. Deceased

Trupti Rajesh Nadgauda .. Petitioner

.....

- Mr. Aloukik R. Pai, Advocate for Applicant / Petitioner.

.....

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 23, 2026

P.C.:

- 1.** Not on Board. Mentioned by way of filing praecipe dated 23.02.2026. Perused the praecipe.
- 2.** Heard Mr. Pai, learned Advocate for Applicant / Petitioner.
- 3.** The above Petitions are filed for Heirship of the deceased and obtaining Succession Certificate in respect of certain bank accounts of the deceased.

- 4.** Both the Petitions are non-contentious and filed by widow of the deceased supported by the Affidavits of consent of her children namely daughter – Trisha and son – Aryan.
- 5.** Miscellaneous Petition is filed seeking heirship which was allowed vide order dated 07.11.2025 by this Court.
- 6.** Petitioner has filed present Interim Application seeking amendment to the Schedule of the Miscellaneous Petition for heirship post grant for deleting item Nos.2 to 5. Schedule of amendment is appended at Exhibit-A, page No.10.
- 7.** Interim Application is also filed seeking dispensation of the objection of cross Petitions in the above Testamentary Petition No.5850 of 2025 subsequently filed for grant of Succession Certificate in respect of same item Nos.2 to 5 in the Schedule of the Miscellaneous Petition for heirship.
- 8.** On allowing the Interim Application, there will be no concurrence in the properties of the deceased for which proceedings are filed. Since both the Petitions are non-contentious and filed under separate statutes, there can be no impediment in allowing the Interim Application.
- 9.** In view of the above, the present Interim Application is allowed in terms of prayer clauses (a) and (b) which read as under:-

- “a. this Hon’ble Court be pleased to permit the Petitioner to amend the above MPT/ 911/2025 in terms of the in terms of the Schedule for amendment annexed hereto at Exhibit – “A” on such terms and conditions as the Hon’ble Court may deems fit;*
- b. this Hon’ble Court be pleased to direct the department to dispense with objection regarding the above MP/911/2025 being a cross-petition TP/5850/2025 and grant the Succession Certificate to the Petitioner in TP/5850/2025 on such terms and conditions as the Hon’ble Court may deems fit;”*

10. Amendment is permitted to be carried out within two weeks from today. Re-verification stands dispensed with.

11. With the above directions, Interim Application is allowed and disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed by
HARSHADA
HANUMANT
SAWANT
Date: 2026.03.23
18:30:35 +0530