

HARSHADA H. SAWANT
(P.A.)

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

TESTAMENTARY PETITION NO.1026 OF 2026

Rasiklal Desai alias Rasiklal Lavchand Desai .. Deceased

Bharti Ashutosh Mehta and Ors. .. Petitioners

.....
• Ms. Juilee Ghadge, Advocate for Petitioners.

.....
CORAM : MILIND N. JADHAV, J.

DATE : APRIL 02, 2026

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated 02.04.2026. Perused the praecipe.

2. Heard Ms. Ghadge, learned Advocate for Petitioners.

3. In view of the extant provisions of Section 246 of the Indian Succession Act, 1925, the objection with regard to filing of Petition jointly by the two sisters and the guardian of the third sister stands dispensed with.

4. The objection raised in the requisition dated 24.02.2026 stands dispensed with.

5. Petition is taken up forthwith for hearing.

6. Present Testamentary Petition is filed by Petitioner for issuance of Letters of Administration in respect of the properties and credits of deceased Rasiklal Desai alias Rasiklal Lavchand Desai. 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.7 of the Petition. I have perused the same.

7. It is *prima facie* seen that deceased has three daughters, one of the daughter is duly represented by legal guardian as been of unsound mind. In fact it is seen that one of the two sisters is the duly appointed by National Trust as legal guardian under Section 14 of the National Trust Act, 1999 certificate of which is appended at Exhibit-E, page No.26 to the Petition.

8. In view of the above, there can be no impediment in allowing the Petition. Testamentary Petition is allowed and disposed of in terms of un-numbered prayer clause which reads thus:-

“A Letters of Administration may be granted to them having effect throughout the state of Maharashtra.”

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

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

H. H. SAWANT

[MILIND N. JADHAV, J.]

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