

Amberkar

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

PETITION NO. 1625 OF 2026

Bhagyashri Ashwin Parmar .. Deceased

Usha Ashwin Parmar .. Petitioner

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- Mr. Jayshankar R. Pandey, Advocate for Petitioner

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 6, 2026

P. C.:

1. Not on board. Mentioned by way of filing a praecipe dated 06.04.2026.

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

3. In view of the exigency mentioned in the praecipe, present Petition deserves to be taken up for hearing forthwith.

4. Petition is filed for seeking Letters of Administration in respect of the properties and credits of deceased above named. She is survived by her mother Usha A. Parmar being the Class I legal heir under the Hindu Succession Act, 1956. Deceased is also survived by another sister but she falls under Class II category. Details of legal heir are stated in paragraph No. 4 of the Petition. Purpose for filing the Petition is stated in the Petition.

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

“The Letters of Administration may be granted to the Petitioner having effect throughout the State of Maharashtra.”

6. Department is directed to issue the Letters of Administration as directed above within a period of one week from today positively.

7. Mr. Pandey urges the Court to aid and assist the Petitioner in respect of one more exigency. He would submit that deceased had purchased a flat and in view of her demise, EMIs of the flat have remained pending. He would submit that State Bank of India, Borivali (W) Branch is pressurizing the family of the deceased including the Petitioner mother. He would submit that that is the one reason as to why the present grant is required so that copy of the grant can be submitted with the employer of the deceased i.e. Qatar Airways with whom the deceased was working and her dues / death benefits payable from the employer will thereafter be released by the employer. He would submit that once the said dues / death benefits are released, undoubtedly Petitioner will undertake to repay the outstanding EMIs / arrears to the Bank.

8. In view of the above, State Bank of India, Borivali (W) Branch is directed not to pressurize the Petitioner until the Petitioner receives

the grant from the Court and submits the same to the employer for release of the death benefits of the deceased. Hence for a further period of six weeks from today to enable the Petitioner to approach Qatar Airways i.e. employer of the deceased for the dues / death benefits no coercive steps shall be taken by SBI, Borivali (W) branch against the subject flat of the deceased to enable the Petitioner who undertakes to deposit the arrears of the EMI thereafter with the SBI branch.

9. All concerned are directed to act on a server copy of this order downloaded from the Bombay High Court website.

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

[MILIND N. JADHAV, J.]

Amberkar

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