

HARSHADA H. SAWANT
(P.A.)

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

INTERIM APPLICATION NO.2204 OF 2026
IN
TESTAMENTARY PETITION NO.6704 OF 2025

Joseph Sylvester Mendes alias Sylvester Joseph
Mendes alias Sylvester Mendes .. Deceased

Jason Bosco Joseph Mendes Applicant
.. (Petitioner)

IN THE MATTER OF:

Jason Bosco Joseph Mendes .. Respondent

-
• Mr. Tejas Vora, Advocate i/by D. R. Mishra for Applicant.

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

DATE : APRIL 24 2026

P.C.:

1. Not on Board. Mentioned by way of filing praecipe dated
24.04.2026. Perused the praecipe.

2. Heard Mr. Vora, learned Advocate for Applicant.

3. Petition seeks issuance of Grant.

4. Mr. Vora makes a statement that non-consenting legal heir
have been duly served with the Citation and appropriate Affidavit is
placed on record. He would submit that Will is of the year 1995 and
both attesting witnesses have expired.

5. In that view of the matter, he would seek dispensation of
Rule 384 of the Bombay High Court (Original Side) Rules, 1980 so that

if required Affidavit of a person having knowledge of execution of the Will can be filed by the Petitioner.

6. However, learned Advocate for Application would submit that such Affidavit of Mrs. Fleur Maria Mendes has already been filed and same is directed to be accepted. The Department shall ascertain the aforesaid issues and if the same are in order, accept the same and issue the Grant in accordance with law within a period of six weeks from today.

7. Needless to state that Department is also directed to accept the Administration Bond with respect to the non-consenting legal heir and dispense with the justification of surety of non-consenting legal heir in accordance with law.

8. With the above directions, Interim Application is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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