

Before : Shri. P. A. Jagdale,
Officer on Special Duty,
With Testamentary Department
Date :- 09th October, 2025

FOR HEARING :

114. TP/2529/2025 Shri. Malcolm Vaz i/b Anand Shukla Ld. Advocate
(AMH20240005088C202500002) for the Petitioner
with
CTS(L)/28454/2025 Shri. Devansh Shah i/b Kunal Kamath Ld. Advocate
(AMH20240128522C202500018) for the Caveator
with
WILL/972/2025

P.C.:

1. Today, the matter is taken up for the issuance of a citation, as the Hon'ble Court, vide order dated 01.10.2025, dispensed with the requirement of compliance with Section 230 of the Indian Succession Act, 1925.
2. At this juncture, Ld. Advocate for the Caveator, executor appointed under the Will and legatee under the Will, appeared and submits that though in an earlier order dated 08.09.2025, the presence of the executors' advocate along with the e-filed caveat was noted, Ld. The advocate for the petitioner did not bring this fact to the notice of the Hon'ble Court. Furthermore, he submitted that Ld. Advocate for the petitioner, without intimating to the Advocate for the Caveator, obtained an order from the Hon'ble Court and therefore, he will mention the matter before the Hon'ble Court on 10.10.2025. He will bring these circumstances to the notice of the Hon'ble Court. At this juncture, Ld. An advocate for the petitioner appeared. He submitted that when the matter was mentioned, its intimation was not given to the Ld. Advocate for the Caveator.
3. Ld. Advocate for the caveator requested that today's proceeding may be deferred till Monday so that he can mention the matter before the Hon'ble Court and obtain the relief in this regard, as his rights will be affected. Ld. Advocate for the petitioner is present, and he submits that if the Ld. The advocate for the caveator mentions the matter before the Hon'ble Court. On 10.10.2025, he will appear in the Court. Ld. The advocate for the caveator submits that he will take necessary steps in the matter of intimation, etc.
4. In such circumstances and upon considering the request of the Ld. Advocate for the Caveator, the matter is adjourned for issuance of the citation. Hence, adjourned thereafter.
5. S. O. to 13.10.2025

09.10.2025

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