



2026:BHC-OS:9726

Before : Shri E. B. Sivakumar,
Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master

Date: 17th April 2026

CALLED FOR DIRECTION:

7. TPAC (L)/) Shri Vivekanand Gupta, Advocate for the Third
11280/2026) Party Applicant
IN)
TP/671/1962)

PC.

This Third Party Application has been filed by Prabhudayal Co-operative Housing Society Ltd., through its Secretary Shri Satish Poddar, Third Party Applicant, seeking certified copies of the entire records and proceedings of the Testamentary Petition No. 671 of 1962, as per Rule 268 of the Bombay High Court Original Side Rules 1980.

2. Service of the Third Party Application has been dispensed with as the Petition of the year 1962.

3. Perused the affidavit in support and additional affidavit. The Applicant stated in the additional affidavit that, the Petitioner in her capacity as a Sole Administratrix had conveyed the land by indenture dated 1st March 1975. It is further stated that, they require the certified copy of the entire records and proceedings for the purpose of producing before the City Survey Office for mutation. A copy of the letter dated 6th February 2025 issued by the City Survey Officer, Vile Parle, Mumbai is annexed to the affidavit in support. The Applicant, therefore, prayed for the certified copy of the records and proceedings of the Testamentary Petition.

4. Heard. Ld. Advocate for the Applicant submits that, the Petitioner in her capacity as a Sole Administratrix conveyed the land



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by indenture dated 1st March 1975. He further submits that, the Applicant requires the certified copy of the entire records and proceedings for the purpose of producing before the City Survey Office for mutation. He further submits that, a copy of the letter dated 6th February 2025 issued by the City Survey Officer, Vile Parle, Mumbai is annexed to the affidavit in support. He, therefore, prayed that, the Third Party Application be allowed. None present on behalf of the Petitioner despite service.

5. It is to be noted that Rule 268 of Bombay High Court Original Side Rules, 1980, indicates that if sufficient cause is shown, this Authority has discretion to grant three certified copies of the entire records and proceedings of the Testamentary Petition No. 671 of 1962 subject to availability to the Third Party Applicant.

6. For the reasons stated in the affidavit in support the Third-Party Application is allowed. Office is directed to issue three certified copies of entire records and proceedings of the Testamentary Petition No. 671 of 1962 subject to availability to the third party applicants as per the application, on payment of necessary charges.

7. It is made clear that the third party applicant shall use the certified copy only for the purpose mentioned in the Third Party Application and in accordance with Rule 271 of Bombay High Court O.S. Rules, 1980, and not to part with the certified copy to any other third party. Third Party Application is disposed of.

17.04.2026

**Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master**