

Amberkar

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

MISC. PETITION NO. 342 OF 2025

IN

TESTAMENTARY PETITION NO. 3325 OF 2022

Sumitra Jayant Yande

.. Deceased

Sunanda Chandrasen Vasudev

.. Petitioner

Versus

Dilip Vishwas Yande

.. Respondent

.....

- Mr. S.A. Abhyankar a/w Ms. Apurva Mhatre, Advocates for Petitioner
- Mr. Harish R. Pawar a/w Mr. Shivam S. Gawde & Ms. Sonal Bhor, Advocates for Respondent

.....

CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 14, 2025

P. C.:

1. Heard Mr. Abhyankar, learned Advocate for Petitioner and Mr. Pawar, learned Advocate for Respondent.

2. Grievance of Petitioner who claims to be the sister of one of the deceased i.e. Sumitra is that the said deceased was already divorced from her husband on 02.05.1985. Husband expired on 11.12.1998 whereas sister of Petitioner expired on 20.07.2019. Pursuant to the issuance of grant, Respondent who is the nephew of husband of the deceased Jayant Yande through Advocate Mr. Pawar informs the Court that Respondent has not received any benefit.

3. Mr. Abhyankar who is appearing for sister of deceased has come with the case that both the deceased expired issueless and being the sister of deceased Sumitra and in view of the decree of divorce, she would be entitled to the property and credits of the deceased Sumitra as one of her legal heir.

4. Mr. Pawar is directed by this Court to file an appropriate affidavit in respect of any benefit having received by Respondent *qua* property and credits of Sumitra which shall be filed within a period of three weeks from today and copy thereof shall be served on Mr. Abhyankar. Rejoinder, if any, shall be filed within a period of one week thereafter.

5. List the matter for hearing and passing orders on **12th December, 2025**. It is made clear that if the aforesaid issues *qua* the property rights arise, parties will be relegated to the Civil Court for adjudication.

[MILIND N. JADHAV, J.]

Amberkar

RAVINDRA
MOHAN
AMBERKAR
Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2025.11.15
13:02:56 +0530