

Amberkar

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

**MISC. PETITION NO. 426 OF 2024**

**IN**

**PETITION NO. 2521 OF 2021**

Khimjibhai Raghu Sutar alias  
Khimji Raghavji Sutar

.. Deceased

Manjulaben Amrut Pitroda

.. Petitioner

**Versus**

Jamuna Ben Khimjibhai Sutar & Anr.

.. Respondents

.....

- Mr. Deepak Pandey, Advocate for Petitioner

.....

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

**DATE : SEPTEMBER 20, 2025**

**P. C.:**

1. Heard Mr. Pandey, learned Advocate for Petitioner.
2. Petitioner seeks Letters of Administration with Will annexed to the property and credits of deceased.
3. Contention of Mr. Pandey is that Petitioner being the daughter of the deceased had been excluded rather she has not been informed at all with respect to disposition executed by her father. He would submit that when the Grant was issued it was the case of original Petitioner that whereabouts of Petitioner i.e. her daughter were not known to anybody. He would submit that it was to the knowledge of the original Petitioner that present Petitioner is a resident of Mumbai and

has also been given one shop in the Mangaldas Market wherein Petitioner is carrying out her business.

4. In view of the above an arguable case is made out by Mr. Pandey, learned Advocate for Petitioner for issuance of notice to Respondent. Hence issue notice to the Respondent made returnable on 03.10.2025.. Humdast permitted. In addition to Court's notice, Petitioner is directed to serve copy of the Petition along with copy of this order on the Respondent and inform about the next date of hearing by any permissible mode of service and file appropriate affidavit of service with tangible proof thereof on or before the next date.

5. After receiving the notice, Respondent to file affidavit-in-reply on or before the next date, if so desired with an advance copy to the Advocate for Petitioner. Respondent is directed to remain present either by herself or through her Advocate on the next adjourned date.

6. Mr. Pandey has persuaded me to grant ad-interim relief in terms of the shop premises in Mangaldas Market which are presently held by the Petitioner before me which shall be considered by this Court on the next adjourned date.

7. Stand over to **3rd October, 2025.**

[ MILIND N. JADHAV, J. ]