

HARSHADA H. SAWANT
(P.A.)

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

INTERIM APPLICATION (L) NO.27186 OF 2025
IN
TESTAMENTARY PETITION NO.2619 OF 2025

Vinayak Chintamani Patil .. Applicant
IN THE MATTER BETWEEN:
Chintamani Damodar Patil .. Deceased

Rajendra Chintamani Patil .. Petitioner

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- Mr. Jayant Wani, Advocate for Applicant.
 - Ms. Namrata S. Sawant, Advocate for Petitioner.
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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. Wani, learned Advocate for Applicant and Ms. Sawant, learned Advocate for Petitioner.

3. The anxiety of Petitioner is *prima facie* palpable on reading of the praecipe which has been filed on the basis of contents of praecipe which is filed before the Court.

4. By virtue of the order dated 17.04.2026, two of the siblings joined hands and said fact was allowed by the Court for the purpose of impleadment. Petition is pending.

5. Learned Advocate for Petitioner state that Petitioner is

apprehensive that Applicant will not give the respective share. Advocate for Applicant is present in Court alongwith Applicant. The Applicant has no impediment in giving the share rather legitimate shares of the siblings in accordance with law.

6. In that view of the matter, even if the Petition is allowed or granted ultimately all three sons of the deceased will receive equal share and they will be entitled to receive equal share. Whenever Grant is granted by this Court, the same is also specifically stated in the Grant so that even if there is non-consenting legal heir, the non-consenting legal heir gets solace that his share is duly secured. For such protection the Court accepts Administration Bond. Hence, all checks and balances will be kept in mind at the time of allowing the present Testamentary Petition by the Department.

7. This order be brought to the notice of Department by both the Advocates at the time of issuance of Grant. The anxiety and apprehension of the Petitioner before me stands duly addressed by the above order.

8. Praecipe is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
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SAWANT

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by HARSHADA
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