

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(TESTAMENTARY AND INTESTATE JURISDICTION)

TUESDAY, THE 06TH DAY OF AUGUST 2019

THE HON'BLE MR. JUSTICE R.SUBRAMANIAN

O.P.No.328 of 2019

In the matter of the Indian
Succession Act XXXIX of 1925
and

In the matter of the Last Will
and Testament of Vijai Kumar
Bafna- Deceased.

V.VINEET BAFNA
No.80, EVK Sampath Road, Vepery,
Chennai-600007. ...Petitioner

-vs-

1.V.SHOBA BAI
W/o.Late Vijai Kumar Bafna,
No.80, EVK Sampath Road, Vepery, Chennai-600007.

2. SONAL VAID
D/o.Late Vijai Kumar Bafna,
No.36, Carat, Akshaya Appartment,
B12, P.H.Road, Chennai-600084.

3. V.VAISHALI BAFNA
No.13/11, Dharmaraja Koil Lane, Saidapet,
Chennai-600015.

4. V.SHREYA BAFNA
No.80, EVK Sampath Road,
Vepery, Chennai-600007. ...Respondents

Original Petition praying that this Hon'ble Court be
pleased that he may be allowed to prove the Will in common
form and that Proabte thereof to have effect limited to the
State of Tamilnadu may be granted to him.

This Original Petition coming on this day before this
court for hearing the court made the following order:

The petitioner seeks issuance of probate in respect of the Will dated 15.07.2016 executed by S.Vijai Kumar Bafna who died on 28.09.2017.

2. The petitioner who has been appointed as a executor under the said Will is the son of the testator . The respondents are the wife, daughters of the testator. The respondents, upon service, have not entered caveat to oppose the the grant.

3. The petitioner has examined himself as PW1. He has produced the death certificate of the testator and the same has been marked as Ex.P1. The original Will has been marked as Ex.P2. The legal heirship certificate has been produced as Ex.P3. The respondents have also signified their consent for grant of Probate vide their consent affidavits, which have been marked as Exs.P4 to P7.

4. The petitioner has also examined one D.Vijayakumar as PW2. He figures as the attesting witness to the said Will. He has spoken about the execution of the Will by the testatrix in the presence of himself and another witness P.Mohan Chand.

5. Considering the said evidence, I find that the petitioner has proved the execution of the Will and he is entitled to probate. Hence, the original petition is allowed, granting probate to the petitioner in respect of the Will of late S.Vijai Kumar Bafna, dated 15.07.2016 in favour of the petitioner

Sd/-R.S.M.J.

06.08.2019

//Certified to be a true copy//
Dated this the th day of 2019.

Su/13.09.2019

COURT OFFICER

From 25.09.2008 the Registry is issuing certified