

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 9th October, 2024

CALLED FOR DIRECTION:

36. TP/2689/2024
[Original]
with
WILL/1119/2024

) Mr. Jitesh Jadhav, Adv. for the Petitioner.

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P. C. : 1. Perused Petition. Heard Ld. Advocate for the Petitioner. This Petition is for Probate of Last Will and Testament of the deceased filed by the Petitioner Rani Victor Tadilkar being one of the Executrix named under the Will of the deceased. Deceased Prabhavati Narayanji Sejpal said to have died at Mumbai on 16.08.2022. Copy of Death Certificate is annexed to the Petition. Copy of Aadhaar Card of the deceased as ID Proof is annexed to the petition.

2. Mr. Jadhav, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed and registered at Mumbai on 29.08.2019. The said Will is in English language.

3. Mr. Jadhav, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act, 1956. It is submitted that the parents, husband, elder son Bharat Narayanji Sejpal and younger son Yogesh Narayanji Sejpal predeceased the deceased. Exhibits D, E and F are the copies of their death certificate. Save and except as mentioned in para -8, there are no other legal heirs and next of kin left by the deceased.

4. Petitioner's Oath is filed. The other executor Dilip Adityakumar Agarwal has filed his affidavit dated 14.02.2024 relinquishing his rights as executor. Consent Affidavits of two daughter in laws and two married daughters of the deceased as mentioned in para 8 are on record. Affidavits of Anil Pravinchandra Sethia and Bipin Pragji Kothari, both the attesting witnesses to the Will are filed. Affidavit of service of General Citation is filed. All other legal formalities are complied with. Hence, Petition is granted.

5. Office to issue Probate as prayed after verifying whether any Cross Petition or Caveat is filed.

09.10.2024

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