

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 19th July, 2024

CALLED FOR DIRECTION:

46. TP/277/2024
[Original]
with
WILL/290/2024

) Mr. Sachin Sonawane, 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 Nelson Richard Saldanha being the sole Executor named under the Will of the deceased. Deceased Franklyn Charles Mathias said to have died at Mumbai on 19.09.2022. 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. Sonawane, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 25.04.2022 The said Will is in English language.

3. Mr. Sonawane, Advocate for the Petitioner submits that deceased was governed under the Indian Succession Act, 1925 applicable to Christians. It is submitted that the Parents of the deceased predeceased the deceased. The deceased had no other son and daughter. Save and except as mentioned in para -10, there are no other legal heirs and next of kin left by the deceased.

4. Petitioner's Oath is filed. Consent

) Affidavits of one brother and five sisters of
) the deceased as mentioned in para 10 are
) on record. Affidavit of Fr. Harold Vaz, one of
) the attesting witness to the Will is 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.
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19.07.2024

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