

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 4th October, 2024

CALLED FOR DIRECTION:

20. TP/344/2024
[Original]
(ECHCBM02191652023)
with
WILL/136/2024

) Mr. Vishal Golambade, Adv. i/b. Somnath Iyer for the
) Petitioner.
)

) P. C. : 1. Perused Petition which is filed online.
) Heard Ld. Advocate for the Petitioner. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by the
) Petitioner Myra Linda Philomena Miranda
) being the Executor named under the Will of
) the deceased. Deceased Oswyn Theodore
) Miranda said to have died at Mumbai on
) 25.08.2021. 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. Golambade, Advocate for the
) Petitioner submits that deceased left behind
) him last Will and Testament which was duly
) executed and registered at Mumbai on
) 31.10.2009 and 12.01.2009. The said Will
) is in English language.
)

) 3. Mr. Golambade, 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. Deceased have
) wife and two sons only. Save and except as
) mentioned in para -9, there are no other
) legal heirs and next of kin left by the

) deceased. The Ld. Adv. for the Petitioner
) submits that the Petitioner were unaware
) about the legal representation to be made
) for administering the estate of the deceased,
) hence there is delay in the filing of the
) Petition. Therefore, delay in filing the
) Petition may be condoned. Thus, the delay is
) explained.

) 4. Petitioner's Oath is filed. Consent
) Affidavits of two sons of the deceased as
) mentioned in para 9 are on record. Affidavit
) of Ashok Kunder, one of the attesting
) witness to the Will is filed. Affidavit of
) service of General Citation is filed. All
) Affidavits are filed online. 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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04.10.2024

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