

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th April, 2024

CALLED FOR DIRECTION:

75. TP/505/2024
(ECHCBM02147472023)

with

WILL/236/2024

Corrected Order

) Ms. Dhanashree Pawaskar, Adv. i/b. for Kenny Thakkar the
) Petitioner.

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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 Milan Navinchandra Shah being
the sole Executor named under the Will of
the deceased. Deceased Navinchandra
Maniklal Shah said to have died at Mumbai
on 24.01.2020. Copy of Death Certificate is
annexed to the Petition. Copy of Pan Card
of the deceased as ID Proof is annexed to
the petition.

2. Ms. Pawaskar, Advocate for the Petitioner
submits that deceased left behind him last
Will and Testament which was duly
executed at Mumbai on 25.07.2017. The
said Will is in English language.

3. Ms. Pawaskar, Advocate for the Petitioner
submits that deceased was governed under
the Hindu Succession Act, 1956. It is
submitted that the Parents of the deceased
predeceased the deceased. The deceased
had no other son or daughters. Save and
except as mentioned in para -9, there are no
other legal heirs left by the deceased. The
Ld. Adv. for the petitioner submits that the
Petitioner states that he was not aware

) about any legal procedure for obtaining the
) said flat which shown in the schedule I on
) his name and was also not familiar with the
) legal work. The Petitioner at no point of
) time, said flat was required to be transferred
) as nothing to that effect was decided
) amongst. The delay so caused was on
) account of the circumstances which were
) beyond the control of the petitioner and
) hence, same may be condoned. Thus, the
) delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of widow and two married
) daughters of the deceased as mentioned in
) para 8 are on record. Affidavit of Rajul
) Jayendra Shah, 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.
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) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
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24.04.2024

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