

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th June, 2024

CALLED FOR DIRECTION:

38. TP/554/2024
(ECHCBM02085042023)
with
WILL/246/2024

) Mr. Harsh Dattani, Adv. for 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 Aruna Ravinder Sood being one of the Executors named under the Will of the deceased. Deceased Nalini Shripad Mudbhatkal said to have died at Mumbai on 11.02.2023. Copy of Death Certificate is annexed to the Petition. Copy of Aadhaar and Pan Card of the deceased as ID Proof is annexed to the petition.

2. Mr. Dattani, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed and registered at Mumbai on 30.08.2022. The said Will is in English language.

3. Mr. Dattani, 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 died as spinster the deceased had two brothers and two sisters. Two brothers of the deceased predeceased the deceased. Gangadhar and Krishnanand and Radha i.e

) one of the sister of the deceased
) predeceased the deceased. Gangadhar
) Mudbhatkal, predeceased brother of the
) deceased died as widower and had no
) children. Exh. D to the petition is a copy of
) his death certificate. Krishnanand
) Mudbhatkal, predeceased brother of the
) deceased died as a bachelor and had no
) spouse or children. Exh. E is a copy of his
) death certificate. Radha i.e. predeceased
) sister of deceased died as a widower and
) had one daughter. Exh. F to the petition is a
) copy of death certificate of Radha Gersappe.
) Deceased survived by one sister and one
) niece. Save and except as mentioned in para
) -8, there are no other legal heirs and next
) of kin left by the deceased.
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) 4. Petitioner's Oath is filed. The other
) executrix Ms. Gunjan Sanjiv Askhedkar has
) filed her affidavit dated 25.03.2023
) renouncing her rights as executrix. Consent
) Affidavits of sister and niece of the deceased
) as mentioned in para 8 are on record.
) Affidavits of Dr. Rama A. Shah and Dr. Kiran
) K. Kamat, both the attesting witnesses to the
) Will are 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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24.06.2024

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