

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th June, 2024

CALLED FOR DIRECTION:

39. TP/641/2024
(ECHCBM02152772023)
with
WILL/272/2024

) Ms. Sneha Agicha, Adv. i/b. D. M. Harish & Co., 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 Vishal Nirbhay Jain, being one of
) the Executors named under the Will of the
) deceased. Deceased Nirbhay Mal Jain alias
) Nirbhaymal Abhaymal Jain said to have died
) at Mumbai on 04.11.2022. Copy of Death
) Certificate is annexed to the Petition. Copy
) of Aadhaar Card of the deceased as ID
) Proof is annexed to the petition.
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) 2. Ms. Agicha, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 16.10.2021 and
) registered on 22.12.2021. The said Will is
) in English language.
)

) 3. Ms. Agicha, 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 did
) not leave any other son and daughter or any
) other children. Save and except as
) mentioned in para -9, there are no other
) legal heirs and next of kin left by the
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) deceased.

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4. Petitioner's Oath is filed. The other executrix Varsha Rakesh Jain has filed affidavit dated 15th June, 2023 reserving her rights as executrix. Consent Affidavits of wife, daughter in law and grandson of the deceased as mentioned in para 9 are on record. Affidavit of Armugam Babu, 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.

24.06.2024

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