

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th June, 2024

CALLED FOR DIRECTION:

40. TP/1121/2024
(ECHCBM02140352023)
with
WILL/388/2024 K

) Ms. Vasundhara Soni, Adv. i/b. Economic Laws Practice for
) Petitioners.
)

) P. C. : 1. Perused Petition which is filed online.
) Heard Ld. Advocate for Petitioners. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by
) Petitioners 1) Mr. Kavim Chimanlal Parikh 2)
) Milan Kavim Parikh and 3) Mr. Saunak
) Jitendra Parikh, being Executors named
) under the Will of the deceased. Deceased
) Manjula Kavim Parikh alias Manjula
) Kavinchandra Parikh said to have died at
) Mumbai on 17.07.2017. 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. Soni, Advocate for Petitioners
) submits that deceased left behind her last
) Will and Testament which was duly
) executed at Mumbai on 10.05.2017. The
) said Will is in English language.
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) 3. Ms. Soni, Advocate for Petitioners
) 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 leaving behind her husband, son and
) three daughters. 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 Petitioners were only able
) to locate the original of the said Will
) sometime in the month of April 2023 and
) therefore there has been some delay in filing
) the Petition, which may be condoned. Thus,
) the delay is explained.
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) 4. Petitioners' Oath are filed. Consent
) Affidavits of three daughters of the
) deceased as mentioned in para 9 are on
) record. Affidavits of Dr. Vikram Manilal
) Mehta and Atul Dilipsinh Sampat, 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**