

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 18th October, 2024

CALLED FOR DIRECTION:

25. TP/1761/2024
[Original]
(ECHCBM02199782023)
with
WILL/687/2024

) Mr. Pranav Monani, Adv. i/b. Kanga & Co., 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 Vinodini Gupta being one of the
) Executrix named under the Will of the
) deceased. Deceased Sudha Ramchandra
) Gupta, said to have died at USA on
) 16.01.2005. Copy of Death Certificate is
) annexed to the Petition. Copy of Passport
) of the deceased as ID Proof is annexed to
) the petition.
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) 2. Mr. Monani, Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 25.11.2003. The
) said Will is in English language.
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) 3. Mr. Monani, 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. Husband of the
) Deceased died after the death of the
) Deceased. Save and except as mentioned in
) para -8, there are no other legal heirs and
) next of kin left by the deceased. The Ld.
) Adv. for the Petitioners submits that the
) Petitioner states that she has been advised

) to apply for Probate of the last Will and
) Testament of the Deceased to enable her to
) convey the Immovable Property situated at
) Versova, Seven Bungalows, Andheri (West),
) Mumbai — 400061 of which the Deceased
) was the owner which she has bequeathed
) under the said Will and also to enable the
) Petitioner to close the Bank Accounts more
) particularly mentioned in the aforesaid
) Schedule No. I, existence of which was not
) known to the Petitioner till now, hence the
) delay in filing this Petition. Thus, the delay
) is explained.
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) 4. Petitioner's Oath is filed. The Other
) Executrix Sarojini Gupta has filed Affidavit
) dated 23.09.2023 reserving her rights as
) Executrix. Consent Affidavits of three
) daughters and one son of the deceased as
) mentioned in para 8 are on record. Affidavit
) of Kaustubh Zoal, 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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18.10.2024

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Addl. Prothonotary and Senior Master**