

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 20th September, 2024

CALLED FOR DIRECTION:

50. TP/1807/2024
[Original]
(ECHCBM02165392023)
with
WILL/660/2024

) Mr. R. D. Khare, Adv. for the Petitioner.

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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 Ashok Maruti Amberkar, being the sole Executor named under the Will of the deceased. Deceased Ratan Mohan Kalewar said to have died at Mumbai on 09.02.2023. Copy of Death Certificate is annexed to the Petition. Copy of Aadhaar Card of the deceased as ID Proof is annexed to the petition.

2. Mr. Khare, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 10.12.2014. The said Will is in English language.

3. Mr. Khare, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act, 1956. It is submitted that the husband of the deceased pre-deceased her leaving behind only son by the name Nikhil Mohan Kalewar who also pre-deceased to the deceased and died in the year 2005. That the Daughter -In- Law of the deceased abandoned her and took away all the valuables and cash of the

) deceased immediately after the death of her
) husband and son of the deceased and had
) married later as was informed by the word
) of mouth by some known persons. The said
) Nikhil Mohan Kalewar died issueless. The
) deceased was left with only the Petitioner
) and his sister as the only next of kin of the
) deceased and the deceased has been taken
) care of by the petitioner and the sister
) during her life time. The said deceased had
) no Brother -in- Law and no Sister- in- Law.
) There are no legal heirs from the deceased's
) husband side. Save and except as mentioned
) in para -11, there are no other legal heirs
) and next of kin left by the deceased.
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) 4. Petitioner's Oath is filed. Consent
) Affidavit of unmarried sister of the
) deceased as mentioned in para 11 is on
) record. Affidavit of Jayant Dalsukhbhai
) Bhawsar, 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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20.09.2024

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