

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 24th October, 2024

CALLED FOR DIRECTION:

23. TP/1902/2024
[Original]
(ECHCBM02023012023)
with
WILL/716/2024

) Mr. Deepak Devkar, Adv. i/b. Ravindra Chile for
) Petitioners.

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)

) 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 Pratima Mukesh Varvatkar and
) Mukesh Gajanan Varvatkar, being the
) Executrix/ Executor named under the Will
) of the deceased. Deceased Gangaram
) Raghoo Khidbide @ Gangaram Ragho
) Khidbide @ G. R. Khidbide, said to have
) died at Raigad on 11.11.2019. Copy of
) Death Certificate is annexed to the Petition.
) Copy of Aadhaar Card of the deceased
) attached to the Will as ID Proof is annexed
) to the petition.
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) 2. Mr. Devkar, Advocate for Petitioners
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 06.03.2018. The
) said Will is in English language.
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) 3. Mr. Devkar, Advocate for Petitioners
) submits that deceased was governed under
) the Hindu Succession Act, 1956. The Ld.
) Adv. for the Petitioner submits that though
) in the petition it is not mentioned that
) mother of the deceased predeceased the
)

) deceased, mother is predeceased. Save and
) except as mentioned in para –7, there are no
) other legal heirs and next of kin left by the
) deceased. The Ld. Adv. for the Petitioner
) submits that the Petitioner states that as the
) deceased died on 11.11.2019, were as
) initially the Petitioner was unaware about
) the Will and when it came to knowledge till
) that time nation wide lockdown due to
) Covid – 19 pandemic was announced. Later,
) on as petitioner is residing in Mumbai and
) all other heirs in different District took time
) to communicate with all other heirs and
) arranged Advocate of the said Process under
) the jurisdiction of the Hon'ble High Court of
) Bombay. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of wife, three daughters and two
) sons of the deceased as mentioned in para 7
) are on record. Affidavits of Mangesh
) Gangaram Khidbide s/o. Gangaram Raghoo
) Khidbide and Dinesh Ramchandra Kolte
) S/o. Ramchandra Kolte, 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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24.10.2024

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