

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 10th October, 2024.

CALLED FOR COMPLIANCE :

12. TP/3830/2024

with

WILL(L)/23244/2024

) **Ms. Jaya Joil Bagwe, Advocate for the Petitioner.**

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P.C.: 1. Perused Petition. Heard Ld. Advocate for the Petitioner. This Petition is for Probate of Last Will and Testament of the deceased filed by the Petitioner Mukesh Madhusudan Sheth, being one of the Executors named under the Will of the deceased. Deceased Kirit Vrajlal Babaria, said to have died at Mumbai on 20.10.2022. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Pan Card is annexed to the Petition.

2. Ms. Bagwe, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 30.09.2021. The said Will is in English language.

3. Ms. Bagwe, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the parents and elder son, Sharad Kirit Babaria pre-deceased the deceased. Exhibit – D to the Petition is the copy of death certificate of the elder son of the deceased. Save and except as mentioned in para – 7, there are no other legal heirs left by the deceased.

4. Petitioner's Oath are filed. The other Executor, Ashwin Kodarlal Joshi has filed his

) Affidavit dated 08.07.2024 renouncing his
) rights as Executor. Consent Affidavits of wife,
) son, daughter-in-law, grandson and grand
) daughter of the deceased as mentioned in
) para – 7 are on record. Affidavit of Dr. Mukesh
) J. Shah, one of the attesting witness to the Will
) is filed. Affidavit of service of General Citation
) is filed. All the Affidavits are also 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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10.10.2024

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