

**Before: Shri S. S. Agate**

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

**Date : 24<sup>th</sup> April, 2024**

**CALLED FOR DIRECTION:**

77. TP/520/2024  
(ECHCBM02225882023)  
with  
WILL/239/2024

) Mr. Devang Lakhota, Adv. 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 Aditya Saiprasad Samant being  
the sole Executor named under the Will of  
the deceased. Deceased Ashok Narahari  
Desai Deceased said to have died at Mumbai  
on 08.10.2023. 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. Lakhota, Advocate for the Petitioner  
submits that deceased left behind him last  
Will and Testament which was duly  
executed at Mumbai on 31.01.2020 and  
registered on 03.02.2020 at Mumbai. The  
said Will is in English language.

3. Mr. Lakhota, Advocate for the Petitioner  
submits that deceased was governed under  
the Hindu Succession Act, 1956. It is  
submitted that the Deceased died as a  
widower. The wife of the Deceased Late  
Smt.Vidya Ashok Desai died in Mumbai on  
17<sup>th</sup> November, 2022.EXHIBIT "D" to the  
Petition is the true copy of the Death  
Certificate of wife of the Deceased. The

) mother of the Deceased Late Smt. Shalini  
) Narahari Desai died in the year 1946 i.e. 77  
) years ago and therefore her death certificate  
) is not available. The father of the Deceased  
) Late Shri.Narahari Vithal Prabhu Alias  
) Narahari Vithal Desai died in Mumbai on  
) 25111 November, 1986. EXHIBIT “E” to the  
) Petition is the true copy of the Death  
) Certificate of father of the Deceased. Save  
) and except as mentioned in para –9, there  
) are no other legal heirs and next of kin left  
) by the deceased.  
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) 4. Petitioner's Oath is filed. Affidavit of  
) Saiprasad Jagannath Samant, 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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24.04.2024

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