

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 14th June, 2024

CALLED FOR DIRECTION:

26. TP/1148/2024

(ECHCBM02229622023)

with

WILL/401/2024

) Ms. Kanchan Pamnani, Adv. 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 Sandra Georgina Rodrigues being the sole Executrix named under the Will of the deceased. Deceased Rosa Damiana Barco alias Rose Barco said to have died at Mumbai on 08.07.2004. Copy of Death Certificate is annexed to the Petition. Copy of Pan Card of the deceased as ID Proof is annexed to the petition.

2. Ms. Pamnani, Advocate for the Petitioner submits that deceased left behind female last Will and Testament which was duly executed at Mumbai on 02.07.2002. The said Will is in English language.

3. Ms. Pamnani, Advocate for the Petitioner submits that deceased was governed under the Indian Succession Act, 1925 applicable to Christian. It is submitted that the Parents of the deceased predeceased the deceased. Husband Peter Barco, of the Deceased predeceased the deceased (died on 6th January 2001). The Deceased had no children(son or daughter). Save and except as mentioned in para -4, there are no other legal heirs and next of kin left by the deceased. The Ld. Adv. for the Petitioner

) submits that The Petitioner was not aware
) that she was required to file for Probate. As
) soon as she was advised she has come to
) this Hon'ble Court to file this Petition. Thus,
) the delay is explained.

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) 4. Petitioner's Oath is filed. Consent
) Affidavits of two daughters of the deceased
) as mentioned in para 4 are on record.
) Affidavits of Kalathil Manathra Mathappan,
) one of 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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14.06.2024

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