

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 14th June, 2024

CALLED FOR DIRECTION:

29. TP/1157/2024
(ECHCBM02233882023)
with
WILL/406/2024

) Mr. Sanjay S. Gawde, 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 photocopy of Last Will and Testament of the deceased filed by the Petitioner Abhay Shankarrao Mahankal being the sole Executor named under the Will of the deceased. Deceased of Rani Abhay Mahankal, said to have died at Mumbai on 17.05.2006. Copy of Death Certificate is annexed to the Petition. Fof ID Proof of the deceased the petitoiner has filed affidavit dated 16th November 2023 annexing therewith copy of Bank passbook of the deceased.

2. Mr. Gawde, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 28.12.2003. The said Will is in English language.

3. Mr. Gawde, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act, 1956. It is submitted that the Parents of the deceased predeceased the deceased. The Deceased has no daughter and no other son. Save and except as mentioned in para -9, there are no other legal heirs and next of kin left by the

) deceased. The Ld. Adv. for the Petitioner
) submits that That the delay in filing present
) petition is on account of the fact that
) petitioner was unaware about legal
) proceedings to apply for Probate of the Last
) Will and Testament of the deceased. The
) Petitioner further state that he recently
) being advised for the same, therefore, there
) is delay in filing present petition and same
) therefore, there is delay in filing present
) petition and same may be condoned. Thus,
) the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of two sons of the deceased as
) mentioned in para 9 are on record. Affidavit
) of Sunil Vasant Diwakar, 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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14.06.2024

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