

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 22nd July 2024.

CALLED FOR DIRECTION (FOR COMPLIANCE) :

44. TP/1202/2024
[Original]
(ECHCBM02230972023)

) **Mr. Jayant Wani i/b Abhishek Patil, Advocate for the**
) **Petitioner.**
)
)
)

) **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 Mihir Harish
)
) Sheth, being the Sole Executor named under
)
) the Will of the deceased. Deceased Vasant
)
) Nagindas Sheth, said to have died at Mumbai
)
) on 30.07.2023. Copy of death certificate is
)
) annexed to the Petition. For identification
)
) proof of the deceased, Aadhaar Card of the
)
) deceased is annexed.
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) 2. Mr. Wani, Advocate for the Petitioner
)
) submits that deceased left behind him last Will
)
) and Testament which was duly executed at
)
) Mumbai on 08.04.2023. The said Will is in
)
) English language.
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)

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) 3. Mr. Wani, Advocate for the Petitioner
)
) submits that deceased was governed under the
)
) Hindu Succession Act 1956. It is submitted
)
) that the parents of the deceased are
)
) predeceased the deceased. The wife of the
)
) deceased namely Niranjana Vasant Sheth died
)
) on 8th day of August, 2023. Exhibit-"D" to the
)
) petition is a copy of her death certificate. The
)
) deceased left no issue. The deceased left four
)
) brothers and one sister. The one of the brother
)
) of the deceased namely Chandrakant Nagindas
)
) Sheth is predeceased the deceased, who died
)

on 17.05.2000. Exhibit-“E” to the petition is a copy of his death certificate, and since he is predeceased the deceased his legal heirs does not cover as heirs of the deceased, therefore they have not been shown as heir of the deceased. The sister of the deceased namely Jasumati Chandulal Mehta is predeceased the deceased, who died on 25.10.2008, Exhibit-“F” to the petition is a copy of her death certificate, and since she is predeceased the deceased her legal heirs does not cover as heirs of the deceased, therefore they have not been shown as heirs of the deceased. Save and except as mentioned in para – 8, there are no other legal heirs and next of kin left by the deceased.

4. Petitioner's Oath is filed. Consent Affidavits of three brothers of the deceased as mentioned in para – 8 are on record. Affidavit of Bharatkumar Chandulal Mehta, 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.

5. Office to issue Probate expeditiously as prayed after verifying whether any Cross Petition or Caveat is filed.

22.07.2024

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