

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 25th September, 2024

CALLED FOR DIRECTION:

24. TP/1308/2024
[Original]
(ECHCBM02240662023)
with
WILL/461/2024

) Ms. Nikita Sheth, Adv. 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 Nileshkumar Hasmukhbhai Sheth being the sole Executor named under the Will of the deceased. Deceased Manjulaben Hasmukhrai Doshi said to have died at Mumbai on 14.09.2023 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. Ms. Sheth, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 06.06.2023. The said Will is in English language.

3. Ms. Sheth, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act, 1956. It is submitted that the Deceased died as issueless. Deceased's husband - Hasmukh Ratilal Doshi died on 17.01.2017 and pre-deceased the Deceased. The parents of the Deceased's husband pre-deceased the Deceased. The husband of the Deceased had no brothers and one (1) sister Madhuben

) Chimanal Desai and has predeceased the
) Deceased. Madhuben Chimanal Desai has
) one son Jay Chimanal Desai. 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. There is
) affidavit of service dated 24.07.2024 for
) publication of citation in the newspapers for
) non consenting legal heir of the deceased.
) Affidavits of Atinkumar Dilipkumar Shah
) and Asha Hasmukhraj Sheth, both 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.
)
) 5. Office to issue Probate as prayed
) after verifying whether any Cross Petition or
) Caveat is filed.
)

25.09.2024

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