

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 27th September, 2024

CALLED FOR DIRECTION:

36. TP/1382/2024
[Original]
(ECHCBM02004952024)
with
WILL/495/2024

) Mr. Darshan Jain, 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 Bharat alias Bharatkumar
Bhurmal Jain, being one of the Executors
named under the Will of the deceased.
Deceased Sohadevi Devilalji Kothari (Jain)
alias Sohanbai Devilalji Kothari (Jain) alias
Sonabai Devilal Jain alias Sohan Devilal
Jain, said to have died at Mumbai on
18.12.2003. Copy of Death Certificate is
annexed to the Petition. Copy of Voter ID
of the deceased as ID Proof is annexed to
the petition.

2. Mr. Jain, Advocate for the Petitioner
submits that deceased left behind her last
Will and Testament which was duly
executed at Mumbai on 18.04.2002. The
said Will is in Hindi language. The Ld. Adv.
for the Petitioner has filed Affidavit dated
03.07.2024 for translation of the Will.

3. Mr. Jain, Advocate for the Petitioner

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) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted that the Husband of the deceased
) viz. Devilal R. Kothari pre- deceased the
) deceased died on 29.03.1985. Exhibit "D" to
) the petition is a copy of Death Certificate of
) Husband of the Deceased. That the said
) deceased had one Son and four Daughters.
) Out of them Dakhibai Sampatlal Jain, the
) Married Daughter of the deceased since
) deceased the deceased, died on 17.02.2019,
) leaving behind the heirs mentioned at Sr.
) NoA-a to 4-g herein above are her only heirs
) and Legal representatives. "E" to the petition
) is a copy of Death Certificate of Dakhibai
) Sampatlal Jain, the Married Daughter of the
) deceased. That the said Dakhibai Sampatlal
) Jain, had no other Son and Daughter. That
) another married Daughter of the deceased
) viz. Anjana Laxman Singh Jain, since
) deceased the deceased, died on 21.02.2013,
) leaving behind the heirs mentioned at Sr.
) No.5-a to 5-e, herein above are her only
) heirs and Legal representatives. Exhibit "F"
) to the petition is a copy of Death Certificate
) of Anjana Laxman Singh Jain, the Married
) Daughter of the Deceased. That the said
) Anjana Laxman Singh Jain, had no other
) Son and Daughter. That the deceased had
) no other Son and no other daughter. Save
) and except as mentioned in para –8, there
) are no other legal heirs and next of kin left
) by the deceased. The Ld. Adv. for the
) Petitioner submits that the Petitioner states
) that there is a delay in filing the present
) Petition on account of the fact that recently,
) the Petitioner approached the concerned
) authorities for transferring the Immovable
) property viz. Flat No. 104, Shraddha
) Building, Belgrami Road, Kurla (West),
) Mumbai- 400 070 admeasuring about 470
) Sq. ft. carpet area, standing in the name of
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with
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5. Office to issue Probate as prayed
after verifying whether any Cross Petition or
Caveat is filed.

27.09.2024

Addl. Registrar (O.S.) /
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