

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 4th October, 2024

CALLED FOR DIRECTION:

28. TP/1406/2024
[Original]
(ECHCBM02203362023)
with
WILL/517/2024

) Ms. Swati Sawant, Adv. for the Petitioner.

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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 Tushar Niranjana Jambhale, being the sole Executor named under the Will of the deceased. Deceased Usha Durgaprasad Bakhle, said to have died at Mumbai on 12.06.2009. 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. Sawant, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 24.05.2007. The said Will is in English language.

3. Ms. Sawant, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act, 1956. It is submitted that the parents and husband of the deceased predeceased the deceased. The Deceased had one daughter and one son. Abhay Durgaprasad Bakhle, son of the deceased died on 23.11.1998. Late Mr Prasanna Abhay Bakhle and had no daughter. The grandson of the deceased Mr.

) Prasanna Abhay Bakhle died on 02/10/2020
) leaving behind Wife i.e. Gand daughter in
) law, only son and no daughter. The
) Petitioner craves leaves to refers to and rely
) upon the death certificate of Abhay
) durgaprasad Bakhle and the death
) certificate of Prasanna Abhay Bakhle as and
) when produced. 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 has no
) knowledge of legal presentation after the
) knowledge of the legal awareness Petitioner
) instantly filed this Petition therefore the
) delay if any in filing the same may be
) condoned. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavit of married daughter of the
) deceased as mentioned in para 8 is on
) record. There is Affidavit of service filed by
) Sheriff office 25.09.2024 showing service
) upon rest of the non consenting legal heirs
) of the deceased as mentioned in para 8.
) Affidavit of Rajendra Bhaskar Churi, 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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04.10.2024

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