

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 31st July, 2024

CALLED FOR DIRECTION:

25. TP/1629/2024
[Original]
(ECHCBM02032762024)
with
WILL/611/2024

) 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 Last Will and
Testament of the deceased filed by the
Petitioner Balram Sharma son of Trilok
Sharma being the sole Executor named
under the Will of the deceased. Deceased of
Brij Raj Dulari alias Brij Raj Dulari Kaushik,
said to have died at New Delhi on
04.09.2016. 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. Mr. Gawde, Advocate for the Petitioner
submits that deceased left behind her last
Will and Testament which was duly
executed at Mumbai on 15.03.2011. 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 husband of
the deceased predeceased the deceased. The
Deceased has no 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
) was not aware 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 may be
) condoned. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of two daughters of the deceased
) as mentioned in para 8 are on record.
) Affidavit of Dr. Nitin Haresh Gala, 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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31.07.2024

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