

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 16th October, 2024

CALLED FOR DIRECTION:

28. TP/1739/2024
[Original]
(ECHCBM02010352024)
with
WILL/637/2024

) Ms. Sneha Agicha, Adv. i/b. D. M. Harish & Co., for
) Petitioners.

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) P. C. : 1. Perused Petition which is filed online.
) Heard Ld. Advocate for Petitioners. This
) Petition is for Probate of Last Will and
) Testament of the deceased filed by
) Petitioners Snehlata Vishnu Malaney and
) Ronil Vishnu Malaney being the Executors
) named under the Will of the deceased.
) Deceased Vishnu Shamdas Malaney, said to
) have died at Mumbai on 27.09.2020. Copy
) of Death Certificate is annexed to the
) Petition. Copy of Pan Card of the deceased
) as ID Proof is annexed to the petition.
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) 2. Ms. Agicha, Advocate for Petitioners
) submits that deceased left behind him last
) Will and Testament which was duly
) executed and registered at Mumbai on
) 05.04.2019 and 11.04.2020 respectively.
) The said Will is in English language.
)

) 3. Ms. Agicha, Advocate for Petitioners
) submits that deceased was governed under
) the Hindu Succession Act, 1956. It is
) submitted that the Parents of the deceased
) predeceased the deceased. The deceased did
) not leave any other son and daughter or any
) other children. Save and except as
) mentioned in para -11, there are no other
) legal heirs and next of kin left by the

) deceased. The Ld. Adv. for the Petitioner
) submits that the properties of the deceased
) were not determinable and it took
) considerable amount of time for the
) Petitioners to ascertain the investments of
) the deceased. Hence the delay in filing this
) Petition may please be condoned. Thus, the
) delay is explained.
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) 4. Petitioners' Oath are filed. The Other
) Executor Asheesh Vishnu Malaney has filed
) affidavit dated 20.07.2023 relinquishing his
) rights as executor. Consent Affidavit of son
) of the deceased as mentioned in para 11 is
) on record. Affidavit of Teja Malebeshwar
) Borkar, 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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16.10.2024

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Addl. Prothonotary and Senior Master**