

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 11th July 2024.

CALLED FOR COMPLIANCE :

28. TP/1833/2024
(ECHCBM02225842023)
with
WILL/672/2024

) **Mr. R. K. Shetty, Advocate 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 Sunil Ashok Teckchandani, being the Sole Executor named under the Will of the deceased. Deceased Kishinchand Tulsidas Godwani alias Kishinchand T. Godwani,, said to have died at Mumbai on 09.11.2019. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhaar Card is annexed to the Petition.

2. Mr. Shetty, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed and registered at Mumbai on 23.01.2018 and 24.01.2018 respectively. The said Will is in English language.

3. Mr. Shetty, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the parents and wife of the deceased predeceased the deceased. Exhibit – E to the Petition is the copy of death certificate of the wife of the deceased. The deceased died as widower. The deceased had two daughters and had no son. Save and except as mentioned in para – 9, there are no other legal heirs and next of kins left by the deceased. The Ld.

) Advocate for the Petitioner submits that the
) Petitioner was under a bonafide impression
) that the Probate of the said Will was not
) required. The Petitioner was informed that the
) Petitioner need to obtain the Probate of the
) said Will for the purpose of Administration of
) the estate of the said deceased. However, due
) to the Covid-19 pandemic and the restrictions
) imposed by the Government, the Petitioner
) could not file the Probate Petition within the
) period of 3 years from the date of the death of
) the said deceased. The delay is unintentional
) and the Petitioner prays that the same may be
) condoned in the interest of Justice. Thus, the
) delay is explained.
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) 4. Petitioner's Oath is filed. Consent Affidavits
) of two married daughters of the deceased as
) mentioned in para – 9 are on record. Affidavit
) of Sunder T. Godwani, one of the attesting
) witness to the Will is filed. Affidavit of service
) of General Citation is filed. All the Affidavits
) are also 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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11.07.2024

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