

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 27th June, 2024

CALLED FOR DIRECTION:

27. TP/1835/2024
(ECHCBM02033622024)
with
WILL/671/2024

) Ms. Nehal Lathi, Adv. i/b. Divya Sanghvi 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 Himanshu Bhana being one of the Executors named under the Will of the deceased. Deceased Jasu Ooka Bhana Aka Jasuben Ooka Bhana said to have died at Mumbai on 11.02.2008. 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. Lathi, Advocate for the Petitioner submits that deceased left behind him last Will and Testament which was duly executed at Mumbai on 05.09.2007. The said Will is in English language.

3. Ms. Lathi, 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. One son of the deceased viz. Vinod Ooka Bhana predeceased the deceased on 30th April, 2007. There are no other son or daughter of the deceased. Save and except as mentioned in para -9, there are no other legal heirs

) and next of kin left by the deceased. The Ld.
) Adv. for the Petitioner submits that the That
) the delay in making present Petition is on
) account of the fact that the Petitioner was
) ignorant and unaware of obtaining any legal
) representation. Now Petitioner has been
) advised to obtain a legal representation.
) Hence this Hon'ble Court in the interest of
) justice may condone the delay. Thus, the
) delay is explained.
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) 4. Petitioner's Oath is filed. Consent
) Affidavits of daughter in law, two grandsons,
) son and three married daughters of the
) deceased as mentioned in para 9 are on
) record. Affidavit of lignesh P. Shah Aka
) Jignesh Pravinchandra Shah, one 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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27.06.2024

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