

ary

**Before: Shri S. S. Agate**

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 1<sup>st</sup> July 2024.

**CALLED FOR COMPLIANCE:**

32. TP/1866/2024

[Original]

(ECHCBM02047362024)

) **Mrs. Bina Shivhare, 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 Vidyut Jayantilal Shah,, being the Sole Executor named under the Will of the deceased. Deceased Bipinchandra Jamnadas Jariwala, said to have died at Mumbai on 12.06.2017. 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. Mrs. Shivhare, Advocate for the Petitioner submits that deceased left behind her last Will and Testament which was duly executed at Mumbai on 30.06.2013. The said Will is in English language.

3. Mrs. Shivhare, Advocate for the Petitioner submits that deceased was governed under the Hindu Succession Act 1956. It is submitted that the mother of the deceased predeceased the deceased. The deceased left no other sons and no other daughters. Save and except as mentioned in para – 9, there are no other legal heirs left by the deceased. The Ld. Advocate for the Petitioner submits that the Petitioner was not aware about obtaining Legal Representation. The society has recently asked

) for legal representation and so there is delay in  
) filing this Petition. The delay so caused may be  
) condoned. Thus, the delay is explained.  
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) 4. Petitioner's Oath is filed. Consent Affidavits  
) of widow, two married daughters and two sons  
) of the deceased as mentioned in para – 9 are  
) on record. Affidavit of Dr. Naomi R. Joshi, 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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01.07.2024

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