

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 9th October, 2024

CALLED FOR DIRECTION:

29. TP/2026/2024
[Original]
(ECHCBM02169062023)
with
WILL/792/2024

) Ms. Meenakshi Pahuja, Adv. i/b. ANB. Legal 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 Pradeep Bhoja Kanchan being the
) sole Executor named under the Will of the
) deceased. Deceased Bhoja Baira Kanchan
) said to have died at Dubai on 24.04.2015.
) Copy of Death Certificate is annexed to the
) Petition. Copy of Aadhaar Card of the
) deceased as ID Proof is annexed to the
) petition.

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) 2. Ms. Pahuja , Advocate for the Petitioner
) submits that deceased left behind him last
) Will and Testament which was duly
) executed at Mumbai on 13.10.2011. The
) said Will is in English language.

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) 3. Ms. Pahuja, 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 wife of the
) Deceased has expired on 2nd June 2023
) before the filing of this Petition. Hereto
) annexed and marked as Exhibit "c" is a copy
) of the Death Certificate of the wife of the
) Deceased, Late Mrs. Renuka Bhoja Kanchan.

) The Deceased had two children i.e., one son
) and one 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 Petitioner was under a
) bonafide impression that the Probate of the
) said Will was not required. Somewhere in
) 2023, the Petitioners were 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. Hence
) there is a delay in filing this Petition. 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
) Affidavit of daughter of the deceased as
) mentioned in para 8 is on record. Affidavit
) of Swati Pradeep Shinde, 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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09.10.2024

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