

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 16th October, 2024

CALLED FOR DIRECTION:

31. TP/2032/2024
[Original]
(ECHCBM02017732024)
with
WILL/807/2024

) Ms. Sunita Bafna, Adv. 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 Vasdev Rattan Mamtani also
known as Vasdev Mamtani being the sole
Executor named under the Will of the
deceased. Deceased Priya Vasdev Mamtani
also known as Priya Mamtani said to have
died at Mumbai on 02.12.2019. Copy of
Death Certificate is annexed to the Petition.
Copy of Pan and Aadhaar Card of the
deceased as ID Proof are annexed to the
petition.

2. Ms. Bafna, Advocate for the Petitioner
submits that deceased left behind her last
Will and Testament which was duly
executed at Mumbai on 04.05.2019. The
said Will is in English language.

3. Ms. Bafna, Advocate for the Petitioner
submits that deceased was governed under
the Hindu Succession Act, 1956. It is
submitted that the deceased has two
Daughters and One Son. 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 the Petitioner being out of the
) country for most of the time after the death
) of the deceased and also being a common
) man, he was not aware and had no
) knowledge of the legal procedure and steps
) that had to be taken for the Probate. Hence
) this caused the delay of around 3 years and
) 2 months \n filing the Petition for Probate
) but 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 daughters and son of the
) deceased as mentioned in para 8 are on
) record. Affidavit of Jagdish Rattan Mamtani,
) 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

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