

Before : Shri S. S. Agate
Addl. Registrar (O.S.) /
Addl. Prothonotary and Senior Master

CALLED FOR COMPLIANCE :

28.TP/2281/2024) Mr. Jayant Arjun Wani, Advocate for the Petitioner.
ECHCBM02054102024)
WITH)
WILL/905/2024) 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 Purnima Mayuresh Khandke
being the sole Executrix named under the Will of
the deceased. Deceased Mayuresh Shreekant
Khandke said to have died at Mumbai on 26th
October, 2019. 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. Mr. Jayant Arjun Wani, Advocate for the
Petitioner submits that deceased left behind him last
Will and Testament which was duly executed at
Mumbai on 25th October, 2019. The said Will is in
English language.

3. Mr. Jayant Arjun Wani, Advocate for the
Petitioner submits that deceased was governed
under the Hindu Succession Act, 1956. It is
submitted that the deceased was married and has
left behind his widow and one minor son viz Ayush
Mayuresh Khandke aged 16 years. He is residing
under the care and protection of his mother Purnima
Mayuresh Khandke being natural Guardian to look
after his life. And one daughter and mother. That
there is no other son or daughter or legal heirs of the
deceased. Save and except as mentioned in
..2/-

) : 2 :

) para – 8, there are no other legal heirs left by the
) deceased. The Ld. Advocate for the Petitioner
) submits that the Petitioner states that she was not
) aware about legal proceedings to transfer the Flat.
) The society insists a legal certificate from the
) Competent Court. Hence this petition is filed. The
) delay in filing the Petition may be condoned. Thus,
) delay is explained.
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) 4. Petitioner's Oath is filed. Consent Affidavits of
) Mother and Daughter of the deceased as mentioned
) in Para-8 of the Petition are on record. For consent
) of the Minor Son, the Ld. Advocate for the
) Petitioner relied upon the Judgment of this Hon'ble
) Court passed in Testamentary petition No.1701 of
) 2017 dated 6th April, 2021 by the then Hon'ble Shri
) Justice G. S. Patel and stated that the Consent of
) Minor is not required. Affidavit of Vikrant
) Patwardhan, 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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23.08.2024

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