

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 30th July 2024.

CALLED FOR COMPLIANCE :

25. TP/2351/2024

[Original]

(ECHCBM02037212024)

) **Mr. Sushil Inamdar i/b Ajit Shrikhande, 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 Kashyap Bipin Barai, being the Sole
) Surviving Executor named under the Will of
) the deceased. Deceased Smt. Champaben
) Natvarlal Barai alias Champaben Jamnadas
) Majithia, said to have died at Mumbai on
) 01.05.2018. Copy of death certificate is
) annexed to the Petition. For identification
) proof of the deceased, copy of Pan Card is
) annexed to the Petition.
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) 2. Mr. Inamdar, Advocate for the Petitioner
) submits that deceased left behind her last Will
) and Testament which was duly executed at
) Mumbai on 11.04.2017. The said Will is in
) English language.
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) 3. Mr. Inamdar, Advocate for the Petitioner
) submits that deceased was governed under the
) Hindu Succession Act 1956. It is submitted
) that the husband of the deceased Natvarlal
) Barai died on 16.07.1988. The deceased died
) as widow. 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 could
) not file this Petition as he was in the process of

) collecting particulars of the property left by the
) deceased. Hence, the Petitioner prays that
) delay in the filing this Petition may kindly be
) condoned. Thus, the delay is explained.
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) 4. Petitioner's Oath is filed. The other
) Executor, Jagdish Natvarlal Barai died on
) 20th October 2021 and Exhibit – D to the
) Petition is the copy of his death certificate.
) Consent Affidavits of two grand daughters, two
) grandson and two married daughters of the
) deceased as mentioned in para – 9 are on
) record. Affidavit of Hemang Dattani, 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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30.07.2024

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