

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

Date : 30th July 2024.

CALLED FOR COMPLIANCE :

28. TP/2455/2024
[Original]
(ECHCBM02074032024)

1) Mr. Nandkishor Supal i/b Divya Shah Assocs.,
2) Advocate for the Petitioner.

PC.: 1. Perused Petition which is filed online. Heard Ld. Advocate for the Petitioner. This Petition is for Probate of Last Joint Will and Testament of the deceased filed by the Petitioner Ashutosh Jayantilal Vyas, being the Sole Executor named under the Will of the deceased. Deceased Kirty Ambalal Dave, said to have died at Mumbai on 15.12.2021. Copy of death certificate is annexed to the Petition. For identification proof of the deceased, copy of Aadhar Card is annexed to the Petition.

2. Mr. Supal, Advocate for the Petitioner submits that deceased left behind him last Joint Will and Testament which was duly executed at Mumbai on 03.08.2020. The said Will is in English language.

3. Mr. Supal, 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. Save and except as mentioned in para – 8, there are no other legal heirs left by the deceased.

4. Petitioner's Oath is filed. Consent Affidavits of widow and two married daughters of the deceased as mentioned in para – 8 are on

) record. There is Affidavit of service dated
) 09.07.2024 filed by Sheriff's office upon the
) non-consenting legal heir, Milan Kirty Dave,
) son of the deceased. Affidavit of Vrushali
) Keyur Shah, one of the attesting witness to the
) Joint 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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