

ary

Before: Shri S. S. Agate

Addl. Registrar (O.S.) /

Addl. Prothonotary and Senior Master

Date : 30th July 2024.

CALLED FOR COMPLIANCE :

29. TP/2458/2024
[Original]
(ECHCBM02069022024)

) **Mr. Piyush Shah i/b Rustamji and Ginwala, Advocate**
) **for Petitioners.**
)
)

) **P.C.:** 1. Perused Petition which is filed online. Heard
)
) Ld. Advocate for Petitioners. This Petition is
) for Probate of Last Will and Testament of the
) deceased filed by Petitioners Dr. (Mrs.) Asha
) Sharad Shenoy and Ajay Anand Samant, being
) the Executors named under the Will of the
) deceased. Deceased Leela Nilkanth Samant
) alias L. N. Samant alias Leela Samant, said to
) have died at Mumbai on 26.04.2020. Copy of
) death certificate is annexed to the Petition. For
) identification proof of the deceased, copy of
) Aadhar Card is annexed to the Petition.
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) 2. Mr. Shah, Advocate for Petitioners submits
) that deceased left behind her last Will and
) Testament which was duly executed at
) Mumbai on 19.05.2015. The said Will is in
) English language.
)

) 3. Mr. Shah, Advocate for Petitioners submits
) that deceased was governed under the Hindu
) Succession Act 1956. It is submitted that the
) father of the Deceased Shri Nilkanth
) Pandurang Samant and the mother of the
) deceased Smt. Sushila Nilkanth Samant
) predeceased the deceased. The brother of the
) deceased Shri Anand Nilkanth Samant expired
) on 15th July, 2020 leaving behind him his
) widow Smt. Malati Anand Samant and his
) daughter Smt. Asha Sharad Shenoy and son
) Shri Ajay Anand Samant as his only heirs and

Contd. ...3/-

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Will and Testament dated 27th July, 1988 of Nilkanth Pandurang Samant as the inheritance of the deceased under the said Last Will of Nilkanth Pandurang Samant would be forming a major chunk of the estate of the deceased. That the present petition for grant of probate to the last Will and Testament of the deceased is in the circumstances being made at the earliest possible opportunity. Thus, the delay is explained.

4. Petitioner's Oath is filed. Consent Affidavit of widow of the brother of the deceased as mentioned in para – 9 is on record. Affidavit of Vikram H. Kulkarni, 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.

5. Office to issue Probate as prayed after verifying whether any Cross Petition or Caveat is filed.

30.07.2024

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